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FINAL REPORT

Author: J.J.N. Cloete

Title: Bilingualism in the Public  
Sector in South Africa.

Div.: VIII-B

Contract 7.






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BILINGUALISM IN THE PUBLIC SECTOR  
IN SOUTH AFRICA

by

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University of Pretoria



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Résumé

Chapter I:      Dutch, English, Afrikaans and other official  
Languages in South Africa.

The supersession of Dutch, the official language of the Cape since 1652 by English following successive British Occupations is sketched in relation to government offices, schools and the Church. The Great Trek, the establishment of the two Boer Republics in the hinterland and the British annexation of Natal and, later, the Republics, spreads Dutch and English beyond the Cape. Afrikaans emerges from the Netherlandish of the rural folk. Language facts are recognised constitutionally.

Chapter II:      The Language Question at the National Convention.

As a prelude to Union, the four colonies shortly before at war, meet in 1909 to smooth the way to closer association. Language barriers figure prominently in the discussions and the standpoints of each delegation are outlined culminating in successful compromise on this and other





issues and the passing by the Parliament of Westminster of the South Africa Act, 1909, by which was created the Union of South Africa.

Chapter III:     The Language Practices and Qualifications prescribed in Legislation of 1909 and after.

The considerable body of legislation emanating from Parliament itself and the Provincial Councils concerning the language qualifications of public officials and language matters in relation to the public is outlined in some detail as a background to the following Chapter.

Chapter IV:     Pressure Groups and the Language Policies and Practices in the Public Sector.

The traditional relationship between language and political affiliations in South Africa serves as the basis for an analysis of the attitudes and policies of successive governments through four key periods from 1910 to 1965. The swings in attitude towards unilingualism are shown to follow a predictable pattern inextricably interwoven with the racial politics of the day. Accusations and counter-accusations of nepotism are analysed and charges of underhanded activities in the public sector levelled against a trio of cultural organisations are shown to be baseless. The spread of unilingualism among Afrikaans-speakers is mentioned.

Chapter V:     The Language Question in the House of Assembly.

This Chapter is largely a follow-up of the previous one and reflects the legislative moves





based on the prevailing attitudes towards bilingualism. The replacement during 1951 of a recalcitrant Public Service Commission by one whose members were known to favour, inter alia, strict bilingualism resolves a period of friction between the Commission and the Cabinet following the change of government in 1948. The present government's conciliatory gesture of appointing two English-speaking members to the Cabinet is cited with approval.

Chapter VI:

The Language Practices of the Various Governmental Institutions.

The subject is approached, in the main, from the point of view of communications with the public, internal communications as between officials, bilingualism by alternate use of the two languages etc. and translation services. By and large a positive attitude is found to exist towards the need for bilingualism despite the gaps existing.

Chapter VII:

Employee bilingualism.

The official policy of giving preference to bilingual officials notwithstanding, the vexed problem of unilingualism is ever present. The vast majority of public officials appears to be reasonably bilingual but standards vary greatly outside the central public service and provincial headquarters which makes a reliable assessment extremely difficult. It seems clear, however, that the highest degree of bilingualism is to





be found at Central Government level.

Chapter VIII: Public Service Language Tests.

The trials and errors of succeeding Public Service Commissions in regard to language tests are dealt with consecutively from 1916 to 1966. The pendulum swings from arbitrary ad hoc language assessments in the early years to an era of systematic but controversial standardised testing from 1954 to 1965: Falling standards of new entrants to the Public Service consequent upon a general manpower shortage in the country have trapped in the snare of unilingualism many an official otherwise well-equipped for promotion. The standardised tests are dropped as from the 1st January, 1966 in what is, in some respects, a swing of the pendulum back to the status quo ante. Evaluations of the now semi-defunct standard tests are quoted in extenso and the Chapter closes with an expression of opinion that full bilingualism in the public sector has proved to be an unattainable goal in South Africa where the authorities will in all probability be obliged to settle for the lesser goal of a "working knowledge" of the second language.





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## FOREWORD.

This report has been prepared by the undersigned, under contract, for the Canadian Royal Commission on Bilingualism and Biculturalism. The subject-matter is as specified in the relative contract, viz.:

The language practices in the South African Public Service, including a survey of language usage in the various central departments, provincial administrations, public corporations, research organizations, and three or four selected municipal administrations; training schemes to promote bilingualism; language proficiency tests; translation services; language factors as an element of personnel administration; attitudes and activities of pressure groups concerned with language practice."

A prime consideration in the preparation of the report has been to afford the individual not familiar with South African conditions as clear a factual picture as possible of the language problem in the public sector. Therefore, the report may appear clumsy in some respects, but here it must be emphasized that style has not infrequently been sacrificed in the interests of clarity.

The report is by no means an exhaustive exposition of every possible facet of the language question in the public sector - indeed, so comprehensive a document was quite clearly not required nor would its preparation have been feasible within the period stipulated for the completion of the study.

The programme-leader was assisted in the research for and in the compilation and editing of the report by -

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21st December, 1965.





## CHAPTER I

### DUTCH, ENGLISH, AFRIKAANS AND OTHER OFFICIAL LANGUAGES IN SOUTH AFRICA

#### Dutch and English

The European made his appearance in South Africa for the first time as a permanent settler when, on the 6th April 1652, Johan van Riebeeck arrived in Table Bay from the Netherlands with his small band of followers. Subsequently Dutch was the official language of the Europeans at the Cape for some 150 years - in fact until the territory was occupied by the British in September 1795.

As part of the British guarantee on that occasion to respect the rights of the colonists the use of Dutch as an official language was permitted throughout their occupation of the Cape which came to an end in February 1803: Indeed, most of the Dutch officials remained at their posts during the occupation.

Following the second British occupation of the Cape in 1806 Dutch was retained as an official language, but it was gradually relegated to a minor status and replaced by English. Important notices were, however, still published in Dutch and English in the Government Gazette. This practice came to an end in 1822 when Lord Charles Somerset, the Governor from 1814 to 1826, issued his well-known language proclamation in which it was inter alia decreed that "... the English Language be exclusively used in all Judicial Acts and Proceedings either in the supreme or inferior Courts of this Colony, from the 1st Day of January, of the Year of our Lord, One Thousand Eight Hundred and Twenty-seven; and that all official Acts and Documents, of the several public Offices of this Government, (the Documents and Records of the Courts of Justice, excepted) be drawn up and promulgated in the English Language, from and after the 1st Day of January, One Thousand Eight Hundred and Twenty-five; and that all Documents, prepared and issued from the Office of the Chief Secretary to this Government, be prepared in the English Language, from and after the 1st Day of January next, in the Year of our Lord, One Thousand Eight Hundred and Twenty-three; from and after which periods, respectively, the English Language shall, in such judicial Acts and Proceedings, be exclusively adopted".<sup>1)</sup>

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1) Theal, G.McC.: Records of the Cape Colony: From June 1821 to August 1822 (Government of the Cape Colony, 1902), Vol. XIV; pp. 452 - 3.





In the Cape of Good Hope Constitution Ordinance, which was assented to on 11th March, 1853, it was provided: "That all debates and discussions in the Legislative Council and House of Assembly respectively shall be conducted in the English language, and that all journals, entries, minutes, and proceedings of the said Council and Assembly be made and recorded in the same language".<sup>2)</sup>

Dutch managed to linger on in the schools at the Cape after 1806, but following the arrival of English and Scots teachers, English in 1865 became the only medium of instruction in the Colony's Government schools. After 1865, therefore, education was marked by complete Anglicisation.

English even gained ground in the Dutch Reformed churches at the Cape - Scottish ministers being brought out and placed in the pulpits. Lord Charles Somerset was particularly zealous in the campaign to Anglicize education and the Dutch Reformed churches.

The Europeans who from 1836 onwards left the Cape with the Great Trek to settle in what are now Natal, the Orange Free State and Transvaal were almost to a man Dutch-speaking. Soon afterwards, however, the British proclaimed authority over Natal and went on to transform it into a British colony in 1843 with English as the sole official language. At about this time, autonomous republics with Dutch as the official language were founded in the Orange Free State and Transvaal and these survived until the close of the Anglo-Boer War when they became British Colonies under the Peace Treaty of Vereeniging, signed on the 31st May, 1902.

Although Dutch was the only official language in the two republics aforementioned, English was used extensively in both and was, in fact, the language of trade and commerce. In the wake of the discovery of gold on the Witwatersrand in Transvaal in 1884 came a considerable number of foreign miners who

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2) Eybers, G.W.: Select Constitutional Documents illustrating South African History, 1795 - 1910 (London: George Routledge and Sons, Ltd., 1918), p.55.



settled and strengthened the English-speaking section of the community. Free State and Transvaal newspapers like De Vriend, De Transvaal Argus, and De Volkstem published their leading articles in both English and Dutch and usually carried brief summaries in English of their Dutch sections. This practice was also commonly observed in the Cape Colony by the Dutch newspapers.

The middle years of the nineteenth century saw great pessimism concerning the future of Dutch - especially in the Cape Colony. As we have seen, Dutch was not recognised as an official language in the Cape Colony and Afrikaans, which was at the time mainly a spoken language without a recognised written form, was not regarded as suitable for official purposes. "Hitherto the tide had run strongly in the direction of anglicisation. The Dutch of Holland was indeed the religious language, but the spoken tongue it was not nor ever likely to be. Over against it stood English with all its vigour and wealth of literature, the commercial language of half the world, whose advantages the bulk of the Cape Afrikaners and many of the Republicans also were eager that their children should have, provided it was not forced upon them."<sup>3)</sup>

#### The adoption of two official languages

When it appeared that English was well on the way to replacing Dutch completely in the Cape Colony a small number of national-minded and anti-British Dutch colonists was roused to action. They resented the hostile attitude of the English Press towards the Dutch and embryonic Afrikaans languages and were appalled by the growing pro-English sentiment in the Church and the school. From the eighteen-fifties these men began a pro-Dutch and Afrikaans campaign in the Dutch newspapers which were available to them.

Strangely enough, the greatest stimulus to advancement of the Afrikaans language at that time came neither from the Dutch nor the Afrikaans patriots, but from Louis Henry Meurant, the magistrate of Cradock. Meurant's aim was the political separation of the eastern and western districts of the Cape Colony.

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3) Eric A. Walker: A History of Southern Africa (London: Longmans, Green and Co., Ltd., New impression with corrections, 1962), p. 388.





To obtain the support of the Dutch-speaking farmers in the eastern districts for his objective, Meurant in 1860 broke new ground with the publication in the Cradock News of his "Zamenspraak tusschen Klaas Waarzegger en Jan Twijfelaar over het onderwerp van Afscheiding".<sup>4)</sup>

But the nationalistic feelings of the Dutch-speaking colonists were also not roused solely by the language issue. In 1867 and in 1868 diamonds were discovered in various areas on the northern border of the Cape Colony, the western border of the Republic of the Orange Free State and the south-western border of Transvaal (at that time known as the South African Republic). Lengthy negotiations among the three resulted in the British gaining control of the diamond fields through the Cape Colony. Meanwhile, however, a large number of fortune-seekers, many of whom were British subjects of doubtful character, had swarmed into the diamond fields and these two developments had a profound effect on the thinking of the Dutch-speaking element in the Cape Colony.

Walker writes that "the discovery of the diamonds attracted British citizens of a less prepossessing type (and) the Diamond Fields controversy shocked Afrikaner national sentiment into being ...".<sup>5)</sup> These events undoubtedly led to a great interest in politics on the part of the Dutch-speaking colonists in the Cape and in 1879 one of the staunchest of their number, Jan H. Hofmeyr, nationalistic to the core, was elected to the Cape Parliament.

Hofmeyr soon turned his attention to the language issue. Back in the fifties the Dutch-speaking voters in the Albert district had already petitioned Parliament on the use of Dutch. In 1881 Hofmeyr moved in Parliament that Dutch should be introduced in the proceedings of the House. In 1882 the mo-

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4) Free translation: "Discussion between Klaas (Nicholas) Waarzegger (Fortune-Teller) and Jan (John) Twijfelaar (Doubter) on the subject of Separation".

5) Walker, op.cit., p.389.



tion was carried unopposed<sup>6)</sup> and, for the first time, the principle of two official languages became public policy. In the same year, the recommendations of an Education Commission were adopted whereby Dutch was permitted to be a medium of instruction in the first and second class schools. Dutch was, therefore, staging a remarkable recovery. It is also quite clear that the progress made on the language front was a direct result of political feelings and activities.

Dutch suffered a severe setback when the two Dutch-speaking republics - Orange Free State and Transvaal (South African Republic) - were overwhelmed by Britain in the Anglo-Boer War. After the War which, as has been noted, ended on the 31st May, 1902, a great wave of despondency engulfed the Afrikaners - as the Dutch-speaking people in South Africa had come to be termed. Dutch was in theory retained as an official language in the conquered territories, but because the great majority of officials was English-speaking, Dutch was in practice pushed into the background. English-speaking teachers were recruited in Great Britain, Canada, Australia and New Zealand,<sup>7)</sup> and British immigrants streamed into and settled in the erstwhile republics. "Officially the written and school language of the Dutch South African was still Netherlandish; but such rights as it possessed were only on paper, and in practice it received little recognition or encouragement from the authorities. In some directions determined attempts were actually made to ensure the total disappearance of the language of the Dutch South African. It soon became quite obvious that Netherlandish was swiftly dying out as a written language, while in many quarters the spoken Afrikaans began to show such a startling degree of English influence that people rightly feared its speedy and complete absorption."<sup>8)</sup>

Although, therefore, Dutch and English were at the beginning of the

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6) Act 1 of 1882. It should be noted that the Cape Colony had been granted Responsible Government in 1872.

7) Walker, op.cit., p. 500.

8) Johannes J. Smith, Professor of Afrikaans, University of Stellenbosch, and Chief Editor of Die Woordboek van die Afrikaanse Taal from 1926 to 1945; "The Evolution and Recognition of the Afrikaans Language", Official Year Book of the Union of South Africa No. 8 - 1910 - 25 (Pretoria: Government Printing and Stationery Office, 1927), p. 20.





twentieth century by law official languages of equal standing, English was in practice dominant in official circles.

### The emergence of Afrikaans

The seventeenth century Dutch spoken and written by Johan van Riebeeck and his followers gradually evolved into modern Dutch in the Netherlands. In South Africa the transition was to Afrikaans which is today recognised as a separate language within the Germanic group. Many factors undoubtedly contributed to the formation of the Afrikaans language. Prof. J.J. Smith, one of the greatest authorities on the Afrikaans language held that - "the theory best supported by the facts both of language and of history is the so-called spontaneous one - i.e. the theory that holds that present-day Afrikaans is a direct unbroken development of the Netherlandish of the seventeenth century colonists. The term 'spontaneous development' by no means precludes the possibility of all kinds of influences having been exerted directly upon the language; and the supporters of this theory do not wish in any way to deny that there is a certain number of Portuguese, Creole-Portuguese, or Malay words in Afrikaans. But all such influences are secondary matters and not deciding factors in the change. The spontaneous theory also differs most signally from all theories postulating a clash of languages - theories which maintain that Netherlandish clashed, as it were, with a dissimilar language as a result of the Netherlandish colonists having been suddenly forced to speak that other language. Spontaneous development means that the language grew out of itself, more slowly or more rapidly, according as the conservative influences were stronger or weaker. A seed growing into a tree is an example of spontaneous development, although all sorts of outside influences such as sunshine, water, soil, manure, pruning, and environment may help to further or retard its growth; if, however, the tree should be cut down and a strange shoot grafted upon it, this would no longer be spontaneous development".<sup>9)</sup>

It is clear from the few available documents of the time such as "Criminele Justitiën, 1706" (verbatim records of evidence given in court) that the Dutch spoken by the Cape farmers was by the early eighteenth century no longer the cultured Dutch of the Netherlands. Further evidence of the metamorphosis is to be found in rare documents dating back to the second half of the eighteenth century. "Writings composed in comparatively pure

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9) Ibid., p. 17.



Afrikaans are, however, very rare before 1860, for up to that date, and also for many years afterwards, nearly everybody was still making use of Netherlandish, though this Netherlandish was often very faulty and much more like Afrikaans than like proper Netherlandish."<sup>10)</sup>

From 1860 onwards increasing use was made of Afrikaans as a written language. In September 1872 Arnoldus Pannevis, a Dutch teacher at the Paarl Gymnasium launched a movement "with the avowed object of using Afrikaans as a written language"<sup>11)</sup> This was followed on 14th August, 1875 by the foundation of the "Genootskap van Regte Afrikaners"<sup>12)</sup> at Paarl. The aim of this Society, which gave rise to the so-called First Afrikaans Language Movement, was "the raising of spoken Afrikaans to the rank of a written language".<sup>13)</sup> From 1876 the Society published a paper - at first monthly and subsequently weekly - Die Patriot which was soon widely-read. The Rev. S.J. du Toit was the driving force in the Genootskap and edited Die Patriot as well as the Afrikaans monthly Ons Klijntji which made its appearance in 1896.

With the passage of time, however, the Rev. Du Toit veered more and more in the direction of pro-British political views disapproved of by the majority of his Dutch-speaking compatriots. His attitude towards the Jameson Raid and the Anglo-Boer War (1899 - 1902) was particularly instrumental in estranging him from the emergent Afrikaner nation. It followed that he also lost the leadership of the Afrikaans language movement. When publication of Die Patriot and Ons Klijntji ceased in 1904 and 1905, respectively, Du Toit's influence declined correspondingly and he was rejected by the younger generation. The first Afrikaans Language Movement had come to an end.

During the period of the First Afrikaans Language Movement (for literary purposes taken to span the years 1872 - 1900) about 120 Afrikaans books were published in addition to the aforementioned two periodicals and Die Afrikaanse Almanak. Of particular interest during this period is the formation of

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10) Ibid., p. 18.

11) Ibid., p. 19.

12) "Society of True Afrikaners".

13) Smith, op.cit., p. 20.





groups with political, cultural and other goals apart from their language objectives. The "Genootskap van Regte Afrikaners" with which acquaintance has already been made, aimed, for example, "... to stand up for our language, our Nation and our People".<sup>14)</sup> Another organization with wider objectives was the "Boeren Beschermings Vereeniging" (Farmers Protection Association) which was founded in 1878. The main purpose of this Association was originally to protect the interests of the wine-farmers in the Western Cape. Leadership of the Association was, however, soon taken over by Jan H. Hofmeyr who, as will be recalled, was the fiery champion of the rights of the Dutch-speaking colonists instrumental in obtaining recognition of Dutch as a language of Parliament in 1882.

Yet another political group which made great efforts on behalf of Afrikaans in the Cape Colony was the "Afrikaner Bond" whose principles were first published by the Rev. Stephanus du Toit on the 4th July, 1879. This Pro-Afrikaner and bitterly anti-British party's "membership was open to any one, irrespective of national origin or political and economic affiliations, who chose South Africa as his fatherland and sought its prosperity. It aimed at fostering national feeling, protecting the interests of farmers, encouraging the use of Afrikaans, securing a system of education suited especially to rural white folk, and ensuring that no harmful principles were advocated in the newspapers".<sup>15)</sup> The Bond was amalgamated with the "Boeren Beschermings Vereeniging" in 1883.

In 1882 the "Zuid-Afrikaansche Taalbond" was founded in the Cape Colony to further the claims of Dutch and to raise the standard of the teaching of Dutch in colleges and schools. The "Taalbond" was of particular importance in the language struggle after 1890.

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14) Walker, op.cit., p. 389. No meeting of this Society was held after 1890.

15) Ibid.



We have seen that at the close of the Anglo-Boer War the Dutch or Afrikaans-speaking people were filled with despondency. Lord Milner, representative of the conquerors, naturally enough manned the public service and schools in the Orange Free State and Transvaal with immigrant Englishmen and Scots or locals with obvious pro-British sympathies. Dutch remained an official language but played a minor rôle in affairs of state. This despondency fortunately evaporated with the signing of the Peace Treaty of Vereeniging on the 31st May, 1902 and as soon as martial law was lifted and people were once more free to use the Press, public meetings became increasingly frequent.

The Dutch-speaking people, who had by now come to be known as Afrikaners started reconstructing their culture and language from about July 1903. At the outset the reconstruction movement was more cultural in content and manifested itself in the establishment of Christian National Education schools in the Orange Free State and Transvaal in opposition to government schools in which the teaching of Dutch was paid scant attention. Largely because the general standard of education achieved in the government schools was higher than in the Christian National Education schools the latter failed to attain that measure of success bargained upon by the Afrikaner leaders. The C.N.E. schools did, however, serve to stimulate the national sentiment of the post-war generation.

The language question soon cropped up again. Jan Hofmeyr, active as ever, revived the "Taalbond" in the Cape Colony in January 1903 to promote Dutch and to combat its eclipse by English. Speaking in Stellenbosch in May 1905 he delivered his now famous address entitled "Are we in Earnest?" in which he "rebuked the prevailing indifference with regard to the mother tongue, declaring the official equality of English and Netherlandish in the





Cape Colony to be a mere fiction".<sup>16)</sup> Following this address, Hofmeyr, at the time sub-editor of De Volkstem, a newspaper published in Pretoria, began advocating the acceptance of Afrikaans as a written language. Of these happenings was born the Second Afrikaans Language Movement.

The plea was no longer for Dutch which was legally the second official language, but for the recognition in its stead of Afrikaans as the second official language. This shift in emphasis represented a further complicating factor in the language struggle, viz. the rivalry between the supporters of Dutch (Netherlandish) as the official language and those who sought to replace it by Afrikaans. This rivalry had its origins in the period of the First Afrikaans Language Movement and caused a great deal of bitterness in the new Afrikaner nation.

To further the interests of Afrikaans the "Afrikaanse Taalgenootskap" (Afrikaans Language Society) was founded in Pretoria in December, 1905. The "Afrikaanse Taalvereniging" (Afrikaans Language Union) entered the lists in Cape Town in November 1906 while an "Afrikaanse Taalgenootskap" was brought into being in Bloemfontein.

The era of the Second Afrikaans Language Movement is taken to have lasted from about 1905 to 1914. During this period of mutual recrimination heated debates on the language issue took place in ecclesiastical, educational, political, scientific and other circles.

Meanwhile in the Orange River Colony and Transvaal the protagonists of both Dutch and Afrikaans rallied round the ex-Boer Generals. In Transvaal General Louis Botha formed the "Het Volk" (The People) party in May 1904. In the Orange River Colony various conferences were held in 1904 and 1905 culminating in the formation of the "Orangia Unie" party under the leadership of General J.B.M. Hertzog. The Afrikaners of both language preferences were,

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16) Smith, op.cit., Official Year Book No. 8, p. 21.



therefore, already organised politically when the two northern colonies were granted Responsible Government in 1907 and 1908. In the Orange River Colony General Hertzog became a member of the first Cabinet under Responsible Government and he immediately saw to the passing of a School Act prescribing education in the mother tongue (Dutch) up to and including Standard IV (sixth school year), the gradual introduction of English as a second medium in the lower standards and the use of both languages for three of the main subjects after Standard IV. This scheme was much disliked by the English-speaking populace which promptly opened private schools - but with scant success.

In Transvaal General Smuts's Education Act turned the Christelike Nasionale Onderwijs schools into government schools. The Act also provided that Dutch-speaking children were not to be taught in English below Standard III, but that thereafter English was to be the medium for all but two subjects.

The first great success in the struggle for official recognition of Afrikaans came in May 1914 when, on a motion by C.J. Langenhoven, a famous Afrikaans scholar, author, advocate and politician, the Provincial Council of the Cape Province decided to permit the use of Afrikaans as a medium up to Standard IV (sixth school year) in the primary schools. In June 1914 The Provincial Councils of the Orange Free State and Transvaal decided to follow suit and admitted Afrikaans to the educational systems of their Provinces. The Provincial Council of the Cape resolved in 1919 to admit Afrikaans as a medium of instruction and as a subject up to the matriculation standard (12th school year).

Chairs of Afrikaans were established at the Grey University College, Bloemfontein, and at the University of Stellenbosch in 1919. Today all South African universities have Chairs of Afrikaans.





A major force in the development of Afrikaans was the South African Academy for Language, Literature and Art (Suid-Afrikaanse Akademie vir Taal, Letterkunde en Kuns) founded in 1909. One of the objectives of this cultural body was to further Dutch and Afrikaans and from 1915 onwards it has regularly published rules and lists on Afrikaans spelling.

In the meantime, the Dutch churches had after acrimonious debates, also decided to recognise Afrikaans as the official language of the Churches - in 1916 the Dutch Reformed Church (Nederduits-Gereformeerde Kerk) of the Orange Free State and Transvaal following the example of the Reformed Church (Gereformeerde Kerk) in this process. By 1919 all the Protestant Dutch churches were satisfied that Dutch (Netherlandish) would never again be the spoken language of the Afrikaner. Steps were accordingly taken to have the Bible translated into Afrikaans.

#### Languages and basic central legislation since Union

The Union Parliament decided in 1918 to accord Afrikaans recognition as an official language for all purposes except in bills, laws and other official documents of both Houses of Parliament. In February 1925 the House of Assembly and the Senate decided upon the appointment of a Joint Select Committee "to consider the question whether, and if so to what extent, the Afrikaans instead of the Netherlands form of the Dutch language shall be used in Bills and Acts of Parliament as well as in Official Documents of both Houses, the Committee to have power to take evidence and call for papers".<sup>17)</sup> In the report of the Committee laid upon the Table on 20th March, 1925, it was stated inter alia, that:

"4. Parliament and subordinate legislative and administrative bodies have in the past acted on the assumption (in respect of which no authoritative legal decision has been given) that Afrikaans is in fact included in the relative provisions of the South Africa Act. Your Committee is of opinion that it is desirable that such action should

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17) Parliament of the Union of South Africa: Report of the Joint Committee on the Use of Afrikaans in Bills, Acts and Official Documents of Parliament together with the Proceedings of the Committee, Minutes of Evidence and Appendix. (Joint Committee No. 1 - 1925), p. 11. 13/... ..



be formally ratified in order to remove all doubt as to the legality thereof."

As a result of the report of the aforementioned Joint Select Committee Parliament passed the Official Languages of the Union Act, 1925, in which it was provided (Section 1) that the "word 'Dutch' in section one hundred and thirty-seven of the South Africa Act, 1909, and wheresoever else that word occurs in the said Act, is hereby declared to include Afrikaans". In fact, therefore, South Africa then had three official languages, viz. English, Dutch and Afrikaans.

After 1925 Afrikaans had still to prove itself as a written language. While it is true that a substantial body of Afrikaans literature had appeared before 1925 there was still a large number of fields in which the language had made very little, if any, progress. To gain full recognition in all spheres the language had to offer all the necessary facilities - an extensive and sophisticated vocabulary, systematic grammar, and reference works such as dictionaries and encyclopaedias. Of these latter necessities Afrikaans could boast but little in 1925.

In the Republic of South Africa Constitution Act, No. 32 of 1961, which largely repealed the South Africa Act, 1909, and repealed the Languages of the Union Act, 1925 in toto, the following sections relate to the official languages:

"108.(1) English and Afrikaans shall be the official languages of the Republic, and shall be treated on a footing of equality, and possess and enjoy equal freedom, rights and privileges.

(2) All records, journals and proceedings of Parliament shall be kept in both the official languages, and all Bills, Acts and notices of general public importance or interest issued by the Government of the Republic shall be in both the official languages.

(3)<sup>18)</sup> Notwithstanding the provisions of sub-section (1) an Act of Parliament<sup>19)</sup>

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<sup>18)</sup> Inserted by section one of Act No. 9 of 1963.

<sup>19)</sup> For example, The Transkei Constitution Act, 1963 (Act No. 48 of 1963). In terms of section six of this Act "...Xhosa shall be recognised as an additional language of the Transkei, and Sesotho may also be used for Governmental, judicial and administrative purposes... The use of Xhosa or Sesotho anywhere within the Republic of South Africa outside the Transkei may be authorised by the State President by proclamation for purposes connected with the affairs of the Transkei ..."





whereby a Bantu area is declared to be a selfgoverning area in accordance with the provisions of that Act, may provide for the recognition of one or more Bantu languages for any or all of the following purposes, namely -

- (a) as an additional official language or as additional official languages of that area; or
- (b) for use in that area for official purposes prescribed by or under that Act,

and may contain provisions authorising the use of any such Bantu language outside the said area for such purposes connected with the affairs of that area and subject to such conditions as may be prescribed by or under that Act.

109. All records, journals and proceedings of a provincial council shall be kept in both the official languages, and all draft ordinances, ordinances and notices of public importance or interest issued by a provincial administration, and all notices issued and all regulations or by-laws made by any institution or body contemplated in paragraph (f) of sub-section (1) of section eighty-four,<sup>20)</sup> shall be in both the official languages."

Particular attention is invited to the fact that Dutch is not mentioned in the Act of 1961. In effect, therefore, the official languages in South Africa are today English, Afrikaans and Bantu languages to the extent permitted under section 108(3) of the 1961 Act as amplified in footnote 19.

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20) Municipal institutions, divisional councils and other local or peri-urban institutions with municipal functions.



CHAPTER II

THE LANGUAGE QUESTION AT THE NATIONAL CONVENTION

Long before the outbreak of the Anglo-Boer War there had been much talk of the unification of the four territories in South Africa, viz. the Cape Colony, the Orange Free State, Transvaal and Natal.<sup>1)</sup> When, after the War, the two Boer republics also became British colonies it was inevitable that attention should again be given to unification.

Many post-war factors made unification of the four territories most desirable but, at the same time, strong forces militated against such a move and one of these was the major stumbling-block of language. The language problem had in fact become more complicated than ever following the educational reforms of Generals Hertzog and Smuts in the Orange River Colony and Transvaal after the granting of Responsible Government to each.

Shortly after the Orange River Colony and Transvaal had obtained Responsible Government in 1908 and 1907, respectively, the parliaments of the four colonies, led by the Cape Parliament, resolved to send delegates to a National Convention to deal with the question of closer association. The Convention was held in Durban from the 12th October to the 5th November, 1908, in Cape Town from the 23rd November, 1908 to the 3rd February, 1909 and in Bloemfontein from the 3rd to 11th May, 1909. In the end a compromise was hammered out and a union of the four colonies was decided upon.

Prelude to the National Convention

The language situation with which the National Convention was confronted was complicated by the very diversity of practices in the four colonies. In the Cape, English and Dutch had been used in Parliament since 1882 whilst in the rural districts of the Colony bilingual officials were as far as possible appointed to meet local requirements. Much the same position obtained in Transvaal. In Natal, where the White population was predominantly English-

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<sup>1)</sup> Sir George Grey, then Governor of the Cape Colony, had already suggested the closer association of the four territories in the eighteen-fifties.





speaking, Dutch was rarely used and enjoyed hardly any recognition. In the Orange River Colony, where the Dutch or Afrikaans-speaking people were in the vast majority, the 1908 School Act of General Hertzog had introduced Dutch into the education system to a far greater extent than in any other of the colonies. The Free Staters were in fact dismayed by the more flexible Education Act which General Smuts had introduced in Transvaal in 1907 because, in their view, it militated against the realisation of the objectives of the Free State education policy.<sup>2)</sup>

Later in 1908, however, public opinion in all four colonies veered strongly in favour of closer ties - a desire so strong that "even racialism and hostility were for a while forgotten by those who most thrive upon such diabolic feelings".<sup>3)</sup>

When the National Convention met in Durban, Sir Henry de Villiers, Chief Justice of the Cape Colony and a member of the delegation from that Colony, who had shortly before visited Canada where he had noted the weaknesses of a centralised federation, was elected President of the Convention. Marthinus T. Steyn, who had been President of the Republic of the Orange Free State before and during the Anglo-Boer War and who wielded tremendous influence on the Dutch-speaking section of the population, was elected Vice-President. Under the guidance of these two men it was soon decided that the four colonies should come together in a union and not a federation. The language question had then to be settled within the framework of a union.

It must be pointed out that at this stage there was no doubt concerning the necessity or desirability of retaining both English and Dutch for official purposes. In the Cape Colony the predominant language was English, but, as

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2) Walker, op.cit., p. 530.

3) H.J. May: The South African Constitution (Cape Town and Johannesburg: Juta & Co., Ltd., 1955) p. 136.



explained in Chapter I, Dutch had been granted a modicum of official recognition. The Vereeniging Peace Treaty signed on 31st May, 1902, had also established Dutch for official purposes in the Orange River Colony and Transvaal with the following provision:

"5. The Dutch language will be taught in public schools in the Transvaal and the Orange River Colony where the parents of the children desire it, and will be allowed in Courts of Law when necessary for the better and more effectual administration of Justice".

In 1908 there was, therefore, no question of doing away with either of the two languages. The problem was to accommodate both in future policy, legislation and administrative arrangements.

When the Convention assembled in Durban the delegates were split into three camps on the language issue. Championing Dutch (and Afrikaans) was General Hertzog, a member of the Cabinet of the Orange River Colony and backed by Marthinus Steyn. A diametrically opposed pro-English position was taken up by the politicians of the parties in Opposition in the parliaments of the Cape Colony, the Orange River Colony, and Transvaal. Most of the Natal delegates aligned themselves with this latter faction which believed that English would become the dominant language throughout South Africa and that Dutch and Afrikaans, which most of them despised and few of them could speak, would gradually fall into disuse. Poised between these two extremist groups were the leaders of the dominant Het Volk party led by General Botha in Transvaal and the South African Party which came to power in the Cape Colony in February 1908. The leaders of this middle-of-the-road group were much less demanding than General Hertzog. Merriman, then Prime Minister of the Cape Colony and leader of the South African Party, in fact favoured the provisions of Section 133 of the Canadian Constitution whereby:

"Either the English or the French language may be used by any person in





the debates of the Houses of Parliament of Canada and of the Houses of the Legislature of Quebec; and both those languages shall be used in the respective Records and Journals of those Houses; and either of those languages may be used by any person or in any pleading or process in or issuing from any Court of Canada established under this Act, and in or from all or any of the Courts of Quebec.

The Acts of Parliament of Canada and of the legislature of Quebec shall be printed and published in both those languages."<sup>4)</sup>

Generals Botha and Smuts who also belonged to the middle group and whose Education Act in Transvaal fell far short of Hertzog's Act in the Orange River Colony in terms of pro-Dutch language sentiments, were of the opinion that a simple declaration by the Convention that both English and Dutch were to be official languages in the Union would suffice.

To Hertzog and Steyn, however, it was not enough to create the equality of free competition, under which the weaker party "goes to the wall", because, as things were, they reasoned it would probably be Dutch that would "go to the wall". To them it was vital to ensure permanent equality by protecting the weaker party, which meant making it obligatory for civil servants and teachers to be bilingual and for all children in Government schools to become fluent in Dutch as well as English.<sup>5)</sup>

During June 1908 Steyn was able to gain an important tactical advantage. Botha and Smuts regarded it as essential that he should accept nomination to the National Convention, because they feared that if he did not do so he might use his great prestige to rally Afrikaner opinion against its recommendations. They therefore pressed him to accept nomination. Botha wrote to him as follows:

"I ask you now, come with us and help us - if you come on the Convention as a representative of the O.R.C. then it will strengthen and improve our position here. We need you, yourself and your council and action. Without you we might possibly tackle the thing entirely wrongly and you know that the

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4) L.M. Thompson: The Unification of South Africa 1902 - 1910 (Oxford: Clarendon Press, 1960), p. 136.

5) Ibid.



eyes of South Africa are on you and we shall be very grateful if you will allow yourself to be nominated on the Convention"<sup>6)</sup>

Merriman also regarded Steyn's presence as of cardinal importance and he wrote to Steyn:

"You probably carry more weight than anyone in South Africa with the 'Platteland' folk who will have to be reckoned with and your voice will be final. Therefore at any personal inconvenience do try and make this sacrifice for South Africa."<sup>6)</sup>

Steyn reacted by taking a firm stand in favour of bilingualism and actually regarded the support of other Afrikaner leaders in this matter as a condition for his co-operation. He wrote to Botha:

"Why I put this matter before you is that I feel so strongly on this point and I know that as regards the language etc. we will have to fight those members of the opposition who will be appointed as delegates by the various Parliaments, and I am quite prepared to fight them, but I do not feel that I could go to a Convention if I had to fight men in our own ranks on such cardinal points."<sup>7)</sup>

Botha was obliged to yield to these demands, as is illustrated by an extract from a letter to Merriman:

"His (Steyn's) great difficulty is with reference to the Dutch language, and he has objection to going on the Convention unless we are in earnest as regards the absolute equality of both languages. I gave him my assurance on this point telling him that it would be impossible for me to carry my party with me unless this principle were adopted; I also said that I felt convinced that the Cape would take the same line. I am glad to be able to tell you that I have persuaded him and that he will now consent to be appointed on the Convention."<sup>8)</sup>

From the foregoing it is apparent that the language question was regarded as one of the major problems to be solved by the National Convention. Edgar Harris Walton, author of the well-known publication The Inner History of the National Convention of South Africa<sup>9)</sup> also advances the opinion that the language issue was the first problem which had to be overcome before any other

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6) Ibid.

7) Ibid., p. 137.

8) Ibid.

9) (Cape Town: Maskew Miller, 1912).



progress could be made. However, the delegates in general had a clear picture of the views held by the various groups on the language question and were, as a result, able to accord the matter consideration both serious and balanced.

### The Convention

The first round in the fight for bilingualism had, as the exchanges quoted above reveal, been won even before the Convention met for the first time. However, many aspects of the matter had still to be thrashed out.

Because of Botha's commitment to Steyn on the language issue, Smuts included a brief clause on the subject in his draft constitution for the proposed union. Wide support for the principle of official bilingualism existed in Transvaal. The relevant clause in Smuts's draft read:

"Both the English and Dutch languages shall be official languages of the Union and may be employed in the Parliament and in its proceedings and also in the Courts of Law."<sup>10</sup>)

Merriman was considerably milder in his approach. He proposed that:

"Either the English or the Dutch language might be used by any person in the debates of the Houses of Parliament of the Union, and both these languages shall as far as Parliament may deem fit be used in the respective records and journals of these Houses, and either language may be used by any person in any pleading or process in any court of the Union."<sup>11</sup>)

With these proposals Smuts and Merriman sought to satisfy the demands of the delegates of the Orangia Unie (General Hertzog's party then in power in the Orange River Colony): Both were prepared to make the use of English and Dutch permissive in Parliament and the law courts. Smuts even added the qualification of both being official languages.

Steyn and Hertzog, however, were by no means satisfied with mere statements to the effect that English and Dutch should be official languages, for that phrase, they maintained, had no precise legal connotation and they regarded

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10) Ibid., p. 192. Smuts's draft was the only one prepared in advance of the meeting of the Convention.

11) Ibid.





as equally futile as a safeguard for and guarantee of the survival of the Dutch language, any system under which both languages could be used permissively in Parliament and in the law courts. Proper recognition of Dutch required, they insisted, protection by measures such as those in force in the Orange River Colony, and proficiency in both Dutch and English should, therefore, be an obligatory qualification for all officials in the service of the State, viz. civil servants, railwaymen and government school teachers. Only then would the future of the Dutch language and the Afrikaner people in South Africa be reasonably secure. Hertzog's draft language motion read as follows:

"In order to effect a closer Union of the Colonies represented at this Convention, and in order fully to attain the object of its establishment, it is essential that both English and Dutch be recognized as the National and Official languages of the Union; to be treated on a footing of equality and to possess and enjoy equal freedom, rights and privileges in all the various offices, functions and services of whatsoever kind or nature administered by or under the Union; and that every appointment under the Union shall be made with a due regard to the equality of the two languages and to the right of every citizen of the Union to avail himself and to claim either language as the medium of communication between himself and any officer or servant of the Union; and that all the records, journals and proceedings of the Union Legislatures, as likewise all Bills and Laws of the Union, and all official notifications of general public importance or interest published in the Gazette, or otherwise, shall be issued and published both in the English and the Dutch languages."12)

Afrikaner delegates were delighted by this draft but English-speaking delegates were to say the least, appalled by the spirit of compulsion which it manifested and which conjured up visions of the (to them totally unacceptable) Orange River Colony's School Act. For them to have accepted the Smuts resolution would have been a great concession but to agree to Hertzog's proposal seemed absolutely inconceivable. It was inevitable, therefore, that the language question was on everyone's lips:

"Wherever delegates met one another outside the chamber during the first week of the convention, the language question was one of the main themes of conversation. It was discussed at caucus meetings of each colonial delegation,

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12) Ibid., p. 193.



it was discussed at caucus meetings of the Boer delegates and caucus meetings of the British delegates, and it was discussed over dinner tables and bridge tables."<sup>13)</sup>

Although all the members were agreed on the general principle of bilingualism, it was felt that the proposal of Hertzog as it stood was unacceptable since it involved "compulsion" and that in any case something rather less involved should be adopted by the convention. Conferences were held by the English and Dutch-speaking delegates and on the following Monday, October the 19th, General Hertzog moved an amended resolution in the following terms:

"In order to effect a closer Union of the Colonies represented at this Convention and in order fully to attain the object of its establishment, it is essential that both English and Dutch be recognised as the official languages of the Union; to be treated on a footing of equality and to possess and enjoy equal freedom, rights and privileges in all the various offices, functions and services of whatsoever kind and nature of or administered by or under the Union; and that all the records, journals and proceedings of the Union Legislatures as likewise all Bills and Laws of the Union and all official notifications of general public importance or interest, published in the Gazette or otherwise shall be issued and published in both the English and Dutch language."<sup>14)</sup>

It will be seen that the new resolution, although divested of compulsion and somewhat simplified, was still of rather a compendious nature and lent itself to a variety of interpretations.

In introducing the motion, General Hertzog stated that he did not want a mere paper resolution, a mere expression of opinion, but a real and lasting settlement of the language question. What was intended and what he asked the Convention to do, was to make equality effective and to make it compulsory throughout the public service of the country. If they were to have a Union in South Africa it must be a union of hearts, a union in which no section of the people felt themselves unfairly or unjustly treated, in which none nursed a legitimate grievance. If the principles of true equality were laid down in the Constitution then they could leave its administration to the Union Govern-

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<sup>13)</sup> Ibid., p. 194.

<sup>14)</sup> Walton, op.cit., p. 100.





ment. As far as South Africa was concerned, the terms of his resolution laid down nothing that was new to the Cape, Transvaal or the Orange River Colony. His view as a delegate from the Orange River Colony was that the principle of equality must be laid down clearly in the Constitution. He could not go back to his people and confess that the position regarding the language was worse under Union than it had been. The people could not be deprived of their language rights and the Dutch-speaking people of South Africa could never accept a settlement which left the absolute equality of their language in doubt and them with a sense of humiliation; They had for a hundred years nursed this feeling with regard to their language and if they were to accept the Constitution the language clause must be clear beyond all doubt.<sup>15)</sup>

Hertzog's address was followed by that of Steyn who said that he regarded the manner in which this question was approached as the test whether South Africa was ripe for union. He believed that real unity was possible and that they would succeed only if the Convention took a broad view and established and maintained equality. Union would always be impossible if one race felt that it was unfairly treated and laboured under feelings of inferiority. The people could claim language equality as a right.<sup>16)</sup>

Sir Leander Starr Jameson, erstwhile leader of the abortive "Jameson Raid" and now a delegate from the Cape Colony, felt that in the face of the great issues before the Convention, he was prepared to take the widest possible view and urged fellow delegates to call upon their people to remember that any sacrifices made would be for the common good. In the Cape Colony bilingualism was spreading and the difficulty did not really exist there. He confessed however, that he could not appreciate the necessity for any hard and fast definition of equality and asked that the resolution be amended by the

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15) Ibid., p.101.

16) Ibid., p.102.



removal of any hint of compulsion; He had, he stated, to take a stand on that in principle and asked General Hertzog to explain his views more fully on this point. As it would probably facilitate matters he proposed finally that a small committee be appointed to draw up a resolution.<sup>17)</sup> The discussion was then adjourned until the next day and, in the interim, informal discussions took place among the various delegates. The next day Sir George Farrar, by agreement, proposed the following amended resolution to take the place of that previously moved by General Hertzog:

"Both the English and Dutch languages shall be official languages of the Union and shall be treated on a footing of equality and shall possess and enjoy equal freedom, rights and privileges; all records, journals and proceedings of the Union Parliament shall be kept in both languages, and all Bills, Acts and notices of general public importance or interest issued by the Union Government shall be in both languages."<sup>18)</sup>

This draft, which was adopted without discussion, resolved the difficulties and closed the matter for the time being. The resolution as then passed was embodied in the Act of Union and is to this day the basic principle governing the official use of English and Afrikaans. Needless to say, the passing of the resolution was a great relief to the Convention, affording as it did evidence of the existence of mutual trust and confidence and holding out the promise that any other difficulties which might present themselves would not be insurmountable. Just how important the language clause was deemed to be may be inferred from the fact that it was entrenched, together with those other provisions of the Constitution which could be altered by the Union Parliament only by a two-thirds majority of the members of both Houses in joint session. Echoes of the language question were, in fact, heard during the debates on education, but it was held on both sides that an honourable understanding had been arrived at on the basis of "equality and no compulsion" and the hope was that little more would be heard of the subject.

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17) Ibid., p.103

18) Ibid.



The language problem in relation to education was overcome by leaving education, other than higher (university) education, in the hands of the provincial authorities - thereby permitting of differential application of the various education policies of the colonies after the date of union having due regard to local interests and without fear of domination by the central or union authorities. By this compromise the Convention succeeded in surmounting one of the most formidable hurdles which it faced.

The language issue was nonetheless later still in evidence when delegates considered clauses relating to the Civil Service and the following stipulation was agreed to:

"The services of officers in the public service of any of the Colonies at the establishment of the Union shall not be dispensed with by reason of their want of knowledge of either the English or the Dutch language."<sup>19)</sup>

The basic protection was, of course, to be afforded in the law, but at a practical level, it was unavoidable that the Union Government had to be trusted to observe with honour the compromise so laboriously achieved.

The draft constitution which emerged from the deliberations of the National Convention was passed by the Westminster Parliament as the South Africa Act, 1909 and received the Royal Assent on the 20th September, 1909. The Act came into force on the 31st May, 1910, when the Union of South Africa was proclaimed and the four colonies became provinces of the Union.

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19) Ibid., p. 108.





CHAPTER III

THE LANGUAGE PRACTICES AND QUALIFICATIONS PRESCRIBED  
IN LEGISLATION OF 1909 AND AFTER

1. THE CENTRAL GOVERNMENT LEVEL

(i) Departments of State - the Public Service

The main statutory provisions relating to the language question on 31st May, 1910, were the following sections of the South Africa Act, 1909:

"135. Subject to the provisions of this Act, all laws in force in the several Colonies at the establishment of the Union shall continue in force in the respective provinces until repealed or amended by Parliament, or by the provincial councils in matters in respect of which the power to make ordinances is reserved or delegated to them."

"137. Both the English and Dutch languages shall be official languages of the Union, and shall be treated on a footing of equality, and possess and enjoy equal freedom, rights, and privileges; all records, journals, and proceedings of Parliament shall be kept in both languages, and all Bills, Acts, and notices of general public importance or interest issued by the Government of the Union shall be in both languages."

"145. The services of officers in the public service of any of the colonies at the establishment of the Union shall not be dispensed with by reason of their want of knowledge of either the English or Dutch language."

"152. Parliament may by law repeal or alter any of the provisions of this Act: Provided that no provision thereof, for the operation of which a definite period of time is prescribed, shall during such period be repealed or altered<sup>1)</sup>: And provided further that no repeal or alteration of the provisions contained in this section, or in section(s) ... one hundred and thirty-seven, shall be valid unless the Bill embodying such repeal or alteration shall be passed by both Houses of Parliament sitting together, and at the reading be agreed to by not less than two thirds of the total number of members of both Houses."

In 1912 the Union Parliament passed the Public Service and Pensions Act, No. 29 of 1912, in which it was provided as follows:

"11.(1) An officer entering the Public Service after the commencement of this Act, who is appointed to a clerical post in the Administrative and Clerical

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1) This provision protected inter alia the provisions of Section 85(iii) of the South Africa Act, 1909, which read as follows:

"(iii) Education, other than higher education, for a period of five years and thereafter until Parliament otherwise provides".



Division<sup>2</sup>) and who has not passed in both official languages at any of the entrance examinations prescribed under section four,<sup>3</sup>) shall not be promoted to any higher grade than that to which he has attained in five years from the date of his first appointment to such post, unless and until he pass such an examination in both official languages as may be prescribed; the standard of the last-mentioned examination shall be equal to the standard of the first-mentioned examination:

Provided that if such officer has passed in either of the official languages at any of such entrance examinations he shall be exempted from further examination therein:

Provided further that if the Commission<sup>4</sup>) be satisfied that the officer has, during the said period of five years, been stationed in places where he had no facilities for acquiring a knowledge of the language in respect of which he has not passed a prescribed examination, the Commission may grant him such extension of the said period as it may deem reasonable.

(2) In recommending any officer for a particular post in which the knowledge of either or both of the official languages is necessary the Commission shall be satisfied that the officer possesses the language qualifications necessary for the efficient discharge of the duties of the post."

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2) The Act (No. 29 of 1912) provided as follows:

"1.(1) The Public Service shall consist of -

- (a) The Administrative and Clerical Division;
- (b) General Division;
- (c) the services"; viz. the permanent defence force, the police force, and certain subordinate personnel of the Prisons Department.

The following officers were classified in the Administrative and Clerical Division, vide Section 1 (2) of the Act: "the secretaries and under secretaries of the several departments of state; the chief clerks, principal clerks, senior clerks, and clerical assistants of the first, second or third grades, employed in those departments; professional officers; the heads of sub-departments and offices; magistrates; the officers and the clerical assistants of the said grades employed in sub-departments; post and telegraph assistants, postmasters, controllers and other supervising officers and engineering and clerical assistants in the executive branch (local post offices) of the department of posts and telegraphs; and all other persons holding or acting in offices or posts directed by the Governor-General from time to time to be included in the Administrative and Clerical Division." The Act also provided that:

"(3) The General Division shall include all persons in the Public Service who are not included in the Administrative or Clerical Division or who are not members of the services ... ."

3) Section four of the Act provided as follows:

"4.(1) Except in the case of a female officer, no person shall, after the commencement of this Act, be appointed to the regular establishment of the Administrative and Clerical Division to fill a clerical post unless -

- (a) he has passed the Matriculation examination of the University of the Cape of Good Hope; or
- (b) he has passed an examination which, in the opinion of the Commission, is of a standard as high as, or higher than, the said Matriculation examination and unless, in either such case, he possesses qualifications in prescribed special subjects of a prescribed standard, or unless -
- (c) he has passed an examination (to be called the Public Service Examination) held by the Commission."

4) The Public Service Commission of not more than three members appointed in terms of Section 2 of Act 29 of 1912 read with Section 142 of the South Africa Act, 1909





In Section 7 of the Act it was prescribed that: "Before any officer is promoted above the first grade of clerical assistant, he shall be required, in order to test his fitness to hold a post in a grade higher than that of clerical assistant to pass an examination to the satisfaction of the Commission in such subjects as may be prescribed. .... The first examination shall be held in December, 1913, and the provisions of this section with regard to promotion shall have effect after the holding of such examination."

The Public Service Commission failed however, to make the necessary arrangements for the examination. Parliament therefore enacted in 1914 that the "first examination shall be held at such time, not being later than December, 1915, as the Governor-General may determine and the provisions of this section with regard to promotion shall have effect after that first examination has been held"<sup>5)</sup>

In 1923 the Union Parliament passed the Public Service and Pensions Act, No. 27 of 1923. This Act repealed the Public Service and Pensions Act, 1912, and provided inter alia as follows:

"15.(1) Any person appointed within five years after the commencement of this Act to the fixed establishment in the clerical division and any person transferred at any time after the commencement of this Act to the clerical division under sub-section (4) of section ten of this Act, who has not passed in both official languages at any of the entrance examinations prescribed under section ten, shall not have his salary increased beyond that drawn by him at the expiration of five years from the date of his first appointment or transfer to such establishment, unless and until he pass such an examination in both official languages as may be prescribed; the standard of the last-mentioned examination shall be equal to the standard of the first-mentioned examination:

Provided that, if such officer has passed in either of the official languages at any such entrance examination, he shall be exempted from further examination in the official language in which he has so passed:

Provided further that if the Commission is satisfied that the officer has, during the said last-mentioned period of five years, been stationed in places where he had no facilities for acquiring a knowledge of the language in which he has not passed a prescribed examination, the Commission may grant him such extension of the said period as it may deem reasonable; but if he fails to qualify within the period of extension; he shall not have his salary increased beyond that drawn by him at the expiration of the extension until such time as he passes the examination.

The provisions of this sub-section shall also apply to officers who entered the public service after thirty-first day of July, 192, and who were appointed to clerical posts in the administrative and clerical division between that date and the commencement of this act.

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5) Public Service and Pensions Act Amendment Act, No. 39 of 1914, Section 4.



(2) No person shall after the expiration of five years from the commencement of this Act be admitted to the clerical division unless he has passed in both official languages at the examination which qualified him for appointment to the public service or unless he is transferred to the clerical division under sub-section (4) of section ten<sup>6</sup>) of this Act.

(3) In recommending any officer for any post in the public service in which the knowledge of either or both of the official languages is necessary, the Commission shall be satisfied that the officer possesses the language qualifications necessary for the efficient discharge of the duties of the post.

(4) Whenever it appears to the Commission that the public interest requires that the holder of a post in the general division should possess a knowledge of both official languages it shall prescribe the standard of such knowledge."

It is necessary to explain that the Public Service and Pensions Act, 1923, which came into operation on the 1st August, 1923, provided (Section 1(1)) that the public service would consist of -

- (a) the administrative division;
- (b) the clerical division;
- (c) the professional and technical division ...;
- (d) the general division;
- (e) the "services".

The Act also provided (Section 11) that:

"For the filling of any post in the administrative or the professional division, the commission shall recommend either -

- (a) the transfer or promotion of an officer who is already in the public service; or
- (b) the appointment of a person from outside the public service if the post cannot be satisfactorily filled by such transfer or promotion."

The Public Service and Pensions Act, 1923, was repealed with effect from the 1st August, 1957 by the Public Service Act, No. 54 of 1957, in which is provided inter alia as follows:

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- 6) This sub-section provided for the transfer to the Clerical Division of officials "in permanent employment in the general division, the professional division the services, or in the railway administration or a teacher serving under a provincial administration or under the administration of the mandated territory".



"11.(1) Subject to the provisions of this section and of section twelve, appointments, transfers and promotions in the public service shall be made in such manner and subject to such conditions (including the possession of knowledge of the official and other languages) as may be prescribed, or if not so prescribed, as may be directed by the Commission: Provided that no person shall be admitted to the clerical division unless he has passed in both official languages at the examination, prescribed or directed as aforesaid, which qualified him for appointment in the public service or unless he is transferred to a post in the clerical division in terms of the provisions of this Act, having displayed special aptitude and possessing qualifications which render him suitable for such a post."

It will be observed that the strictures imposed by Section 15(1) of the Act of 1923 were lifted by the 1957 enactment. Unilingual officials could henceforth be granted salary increments within the limits of the salary scales applicable to their grades.

(ii) The Services

(a) The Defence Force

The South Africa Defence Act, 1912, contained the following section:

"52. All officers and non-commissioned officers of the Defence Forces shall be instructed in giving and receiving executive words of command in each of the official languages of the Union, and all citizens shall be trained and instructed in the official language which is best understood by him.

Whenever it is not practicable in any unit to carry out the instruction and training entirely in one of the official languages, then provision shall as far as possible be made for the instruction and training of the minority of members of the unit in the language best understood by them."

The Defence Act, 1957, which repealed the Act of 1912 provides as follows:

"10. No person shall be enrolled for service in the Permanent Force unless he ... has passed in both official languages of the Union in the examination which he is in terms of the conditions prescribed under ... section nine required to pass as a condition precedent to appointment or engagement in terms of that section."

Section nine of the Act provides that the conditions of appointment must be prescribed by regulation.

The Act also empowered the Governor-General (now State President) to make regulations on the professional and general educational qualifications for appointment in the Defence Forces. In these regulations it is prescribed that "no person shall, except where the Minister otherwise directs, be appointed as an officer in the Permanent Force unless he has obtained the certificate





of the Joint Matriculation Board or any equivalent certificate".7)

For other ranks lower educational qualifications are required.

For promotion in the commissioned ranks candidates must pass the prescribed promotion examinations.<sup>8)</sup> The regulations provide in Chapter VII as follows:

"17. 50 per cent of all examinations in terms of this Chapter will be held in Afrikaans and 50 per cent in English.

A candidate shall be allowed to select the language in which he wishes to take his examination in Practical Tests."

(b) The South African Police

The Police Acts passed in 1912 and 1958 made no provision for language usage or qualifications. However, in the regulations promulgated by the Governor-General (now State President) in terms of powers delegated to him in the Acts it was provided that educational qualifications can be demanded of every recruit for the Police Force and every recruit can be subjected to training in any appropriate subject.<sup>9)</sup> Special promotion examinations are provided for in the aforementioned regulations, whilst in the South African Police Standing Order No. 532(8) it is provided that:

"No policeman will be promoted unless he has a good knowledge of both official languages and before recommending a candidate to sit for an examination his commanding officer must satisfy himself that the candidate is bilingual".

(c) The Prisons Service

No formal language provisions are contained in the Prisons Act, 1959, and previous legislation on prisons. However, the Governor-General (now the State President) was and is empowered to make regulations on "the mode of appointment (and) the conditions of service" of the members of the Prisons Service.<sup>10)</sup>

7) Regulations for the South African Permanent Force, Chapter III, Reg.No.1(2).

8) Ibid., Reg.No.4.

9) Regulations for the South African Police published in Government Gazette Extraordinary No. 719 of 14th February, 1964.

10) Section 94 (1) (b) of the Prisons Act, 1959.



In the Regulations for the Control of the South African Prisons Department it is provided that candidates for appointment as non-commissioned officers must inter alia have attained the "eighth standard of education or an equivalent thereof" and that before he can be promoted, a non-commissioned officer must pass in a prescribed examination. The normal practice is to appoint prison officials as non-commissioned officers and to fill higher-graded posts by the promotion of subordinate officers who have passed the prescribed examinations. Reasonable bilingualism is implied by success in these examinations.

(iii) The South African Railways and Harbours

In 1912 the Union Parliament passed the Railways and Harbours Service Act, No. 28 of 1912, in which the following provisions appeared:

"5.(2) Every servant who has been in continuous employment for the period prescribed in respect of him ... and whose services are permanently required by the Administration<sup>11)</sup> may, upon a certificate issued by the General Manager,<sup>12)</sup> be appointed to permanent employment if he -

(c) possesses such educational qualifications as are prescribed by regulation: Provided that no servant shall be examined in regard to his knowledge of either official language except as provided in section six"

"6.(1) An officer entering the Service<sup>13)</sup> after the commencement of this Act who is appointed to a clerical post therein and who has not passed a prescribed examination in both official languages shall not be promoted to any higher grade than that to which he has attained in five years from the date of his first appointment to such post, unless and until he pass such an examination in both official languages as may be prescribed; the standard of the last-mentioned examination shall be equal to the standard of the first-mentioned examination:

Provided that if he has passed in either of the official languages at the first-mentioned examination he shall be exempted from further examination therein:

Provided further that if the Administration be satisfied that the officer has, during the said period of five years, been stationed in places where he had no facilities for acquiring a knowledge of the language in respect of which he has not passed a prescribed examination, the Administration may grant him such extension of the period as it may deem reasonable.

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11) The authority for the control and management of the railways, ports and harbours of the Union.

12) The officer appointed by the Governor-General to be General Manager of the railways of the Union.

13) The Department of Railways and Harbours.





(2) In appointing any servant to a post in which the knowledge of either or both of the official languages is necessary the Administration shall be satisfied that the servant possesses the language qualifications necessary for the efficient discharge of the duties of the post."

The quoted provisions of Act No.28 of 1912 were repealed by the Railways and Harbours Service Act, 1925, which provided as follows:

"8.(1) Any person appointed within five years after the commencement of this Act to a clerical post in the Service, who has not passed in both official languages at a prescribed examination, shall not have his salary increased beyond that drawn by him at the expiration of five years from the date of his first appointment to such post unless and until he pass such an examination in both official languages as may be described. The standard of the last-mentioned examination shall be equal to the standard of the first-mentioned examination:

Provided that, if such person has passed in either of the official languages at the first-mentioned examination, he shall be exempted from further examination in the official language in which he has so passed:

Provided further that if the Administration is satisfied that such person has, during the said last-mentioned period of five years, been stationed in places where he had no facilities for acquiring a knowledge of the language in which he has not passed at either of the examinations prescribed under this subsection, the Administration may grant him such extension of the said period as it may deem reasonable; but if he fails to qualify within the period of extension, he shall not have his salary increased beyond that drawn by him at the expiration of the extension until such time as he passes the examination.

The provisions of this sub-section shall also apply to any person appointed to a clerical post in the Service after the thirtieth day of September, 1912 and prior to the commencement of this Act.

(2) No person shall after the expiration of five years from the commencement of this Act be admitted to a clerical post in the Service unless he has passed in both official languages at the prescribed examination.

(3) In appointing any person to any post in the Service in which the knowledge of either or both of the official languages is necessary, the Administration shall be satisfied that such person possesses the language qualifications necessary for the efficient discharge of the duties of the post."

The Railways and Harbours Service Act, 1960, in turn repealed the Act of 1925 and provided inter alia as follows:

"8.(1) Any person appointed within five years after the first day of September, 1925, to a clerical post in the Service, who has not passed in both official languages at a prescribed examination, shall not have his salary increased beyond that drawn by him at the expiration of five years from the date of his



first appointment to such post unless and until he pass such an examination in both official languages as may be prescribed. The standard of the last-mentioned examination shall be equal to the standard of the first-mentioned examination: Provided that, if such person has passed in either of the official languages at the first-mentioned examination, he shall be exempted from further examination in the official language in which he has so passed: Provided further that if the Administration is satisfied that such person has, during the said last-mentioned period of five years, been stationed in places where he had no facilities for acquiring a knowledge of the language in which he has not passed at either of the examinations prescribed under this sub-section, the Administration may grant him such extension of the said period as it may deem reasonable; but if he fails to qualify within the period of extension, he shall not have his salary increased beyond that drawn by him at the expiration of the extension until such time as he passes the examination.

(2) The provisions of sub-section (1) shall also apply to any person who entered the Service after the thirtieth day of September, 1912, and who was appointed to a clerical post in the Service between that date and the first day of September, 1925.

(3) No person shall be admitted to a clerical post in the Service unless he has passed in both official languages at the prescribed examination.

(4) In appointing any person to any post in the Service in which the knowledge of either or both of the official languages is necessary, the Administration shall be satisfied that such person possesses the language qualifications necessary for the efficient discharge of the duties of the post."

## 2. THE PROVINCES

In 1912 it was decided that the officials employed in the head offices of Provincial Administrations should be members of the Public Service of the Union and that their conditions of service should be governed by the provisions of the laws relating to the personnel of the central departments of state. This arrangement is still in force.

The South Africa Act, 1909, authorised the provincial authorities to appoint and determine the conditions of service of the personnel necessary for the execution of the functions entrusted to the provinces, e.g. education, hospitals, construction and maintenance of roads, etc.<sup>14)</sup> The provincial authorities could, therefore, also determine the language qualifications of provincial personnel such as schoolteachers, medical officers and nurses

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14) Vide Sections 83 and 85 of the South Africa Act, 1909.





employed in the provincial hospitals, engineers and subordinate personnel engaged on the construction and maintenance of roads, etc.

The South Africa Act, 1909, prescribed no language qualifications for provincial personnel and each province was, therefore, free to make its own arrangements.<sup>15)</sup> The provincial councils adopted the practice of passing separate ordinances for each of the matters entrusted to them e.g. education, hospitals, roads, local government, etc. In each of these ordinances the conditions of service of the relevant personnel were prescribed where it was considered necessary to do so. In practice, however, the provincial councils as a rule, refrained from prescribing specific language qualifications for the personnel under their control except in the case of schoolteachers. In respect of provincial personnel other than schoolteachers it was customary to apply the language qualifications prescribed for comparable officers and employees of the central departments of state.

For the purposes of this report it is not necessary to deal with the special qualifications prescribed for schoolteachers nor with the comprehensive legislation on language education.<sup>16)</sup> Reference will, therefore, be made only to the exceptional cases where special provisions were made for particular categories of provincial officials.

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15) The South Africa Act, 1909, in fact also remained silent on the language practices to be followed by the provincial councils in their deliberations and other activities. As a result of complaints received by the Minister of Justice about unilingual notices in Natal, the Union Parliament passed the South Africa Act Amendment Act, 1955, which provided, inter alia, as follows:

"1. The following section is hereby inserted in the South Africa Act, 1909, after section one hundred and thirty-seven:  
137 bis. All records, journals and proceedings of a provincial council shall be kept in both the official languages, and all draft ordinances, ordinances and notices of public importance or issued by a provincial administration .... shall be in both official languages".

16) The Royal Commission has arranged for a separate report on educational matters in South Africa.





Only in the Ordinances of the Orange Free State were special provisions to be found in respect of provincial officials other than schoolteachers. The Education Laws Consolidation Ordinance, 1920, provided, inter alia, as follows:

"6. Every officer hereafter appointed shall, for the proper performance of the duties attaching to the post which he is to occupy, produce satisfactory evidence of a sufficient knowledge of both official languages, unless the duties attaching to a particular post demand a knowledge of only one of the official languages; provided, however, that no officer who was in the service of the department at the date of Union shall be penalised on account of an insufficient knowledge of one of the two official languages."

The Education Laws Consolidation Ordinance, No. 15 of 1930, repealed all earlier legislation on education in the Orange Free State and provided, inter alia, as follows for clerical and other provincial personnel who might be appointed in the education department of the province:

"6. Every officer hereafter appointed shall, for the proper performance of the duties attaching to the post which he is to occupy, produce evidence which satisfies the Administrator that he has a sufficient knowledge of both official languages, unless the duties attaching to a particular post demand a knowledge of only one of the official languages: provided, however, that no officer who was in the service of the Department at the date of Union shall be penalised on account of an insufficient knowledge of one of the two official languages."

### 3. THE LOCAL GOVERNMENT LEVEL

In the South Africa Act, 1909, no specific provision was made for the language policy to be followed by the municipal or local authorities. These authorities were made subordinate to the provinces.<sup>17)</sup> It was thus the duty of the provincial authorities concerned to prescribe the language policy to be followed by local authorities and the various provincial councils did, in fact, do so. Just as the Provincial Council in Natal had, however, published ordinances unilingually in English, so too had local authorities in Natal largely ignored the statutory requirements concerning bilingualism and the South Africa Act Amendment Act, 1955 (c.f. footnote 15, above) was as much aimed at local authorities as it was at the Provinces. Where, in the footnote referred to,

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17) Vide Section 85 of the South Africa Act, 1909.



the relevant insertion in the South Africa Act, 1909, is only partially quoted, it is as well to quote it here in full to illustrate its application at the municipal level:-

"137 bis. All records, journals and proceedings of a provincial council shall be kept in both the official languages, and all draft ordinances, ordinances and notices of public importance or interest issued by a provincial administration, an all notices issued and all regulations or by-laws made by any institution or body contemplated in paragraph (VI) of section eighty-five, shall be in both official languages.

2.(1) No regulation or by-law of any institution or body contemplated in paragraph (VI) of section eighty-five of the South Africa Act, 1909, made prior to the date of commencement of this Act in only one of the official languages of the Union shall be of any force or effect after the thirty-first day of March, 1956,<sup>18)</sup> unless it has been duly published in both the official languages or a translation thereof has at any time prior to the said date been duly published in the other official language by the authority charged by law with the publication of such a regulation or by-law.

(2) Where such a regulation or by-law has been published in both official languages or a translation thereof has been published as provided in sub-section (1), both versions thereof shall have equal force and effect as if the regulation or by-law had originally been made and published in both the official languages."

The language legislation passed by the various provincial councils to bind the local government authorities is detailed below.

(i) Tranvaal

In 1916 the Provincial Council of Transvaal passed the Local Authorities (Language) Ordinance, No. 15 of 1916, with the following provisions to "enforce the application by Municipalities of Section 137 of the South Africa Act, 1909":

"2. From and after the coming into force of this Ordinance all information intended to be brought to the notice of the public by the council of any municipality shall be given and all forms issued by the council of any municipality and intended for the use of the public shall be available in both the official languages of the Union; all requests for information from any municipality by any member of the public in one of the said official languages in writing shall be replied to in that language, and where such information is sought verbally the municipal officer addressed shall reply in that one of the official languages in which he is addressed and where he is unable to do so he shall reply through some other officer or white person in such language wherever practicable.

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18) By Act No. 10 of 1956 the figures 1956 were changed to 1957, and by Act No. 24 of 1957 the figures 1957 were changed to 1958.





3. In case of any contravention of section two of this Ordinance the town clerk of the municipality within which such contravention occurs shall be responsible and in case the said contravention shall be proved he shall be punished -

- (a) for the first contravention with a fine of one pound or in default of payment seven days' imprisonment with or without hard labour;
- (b) for a second contravention with a fine of five pounds or in default of payment one month's imprisonment with or without hard labour;
- (c) For a third contravention with a fine of ten pounds or in default of payment two months' imprisonment with or without hard labour;
- (d) for a fourth or subsequent contravention with a fine of twenty-five pounds or in default of payment six months' imprisonment with or without hard labour.

4. No prosecution shall be instituted against a town clerk under this Ordinance unless -

- (a) he shall have received a written notice of the omission complained of containing a clear exposition of the particulars of the said omission and shall not have rectified the said omission within thirty days after he shall have received the said notice;
- (b) the public prosecutor of the magistrate's court of the district in which the municipality affected is situated shall within three weeks after the expiration of the period of thirty days mentioned in sub-section (a) of this section have received a petition in which he is requested to institute a prosecution signed in duplicate by
  - (i) at least twenty-five registered voters of the municipality affected, and
  - (ii) a Transvaal member of the Parliament of the Union or a member of the Transvaal Provincial Council;
- (c) the town clerk shall have received a copy of such petition.

5. The petition mentioned in sub-section (b) of the last preceding section shall be accompanied by a copy of the notice mentioned in sub-section (a) of the said section.

6. Should the public prosecutor fail to institute a prosecution as requested in the said petition for a period of fourteen days after he shall have received the same any person who shall have signed the petition may institute a prosecution. Should the public prosecutor not give notice in writing within the said fourteen days to the person from whom he shall have received the petition that he intends to institute the said prosecution he shall be taken to have failed to institute the said prosecution.

7. Any town clerk receiving the notice mentioned in sub-section (a) of section four shall notify his council to that effect at its next ordinary meeting and such notification shall be recorded in the minutes of the council.



8. Should any town clerk be prevented from rectifying the omission complained of by any act, resolution, wilful omission to pass any resolution or any other wilful omission on the part of his council or any member thereof the court shall subject to the provisions of the next succeeding section find him not guilty; provided that the prosecutor may institute a prosecution against one or more of the members of the said council by whom the town clerk was prevented as above set forth simultaneously with the prosecution against the said town clerk and the court shall if necessary postpone the case for this purpose.

9. In case of such a prosecution instituted against one or more councillors the court which hears the case shall decide on whom the responsibility for the omission rests and the person or persons responsible shall be punished each with the penalties laid down in section three; provided however that the onus of proving that and by whom he was prevented from rectifying the omission shall rest upon the town clerk and that should he fail in discharging the said onus he shall be convicted and punished as laid down in this Ordinance.

10. Notwithstanding anything to the contrary in this Ordinance contained, no English-speaking employee of a municipality shall be discharged on account of a lack of knowledge of Dutch, and no Dutch-speaking employee shall be discharged on account of a lack of knowledge of English.

11. The onus of proving that section four has not been complied with shall be on the accused."

By the Local Authorities (Language) Amendment Ordinance, No. 5 of 1918, the following new sub-section (2) was added to section two of Ordinance No. 15 of 1916:

"(2) Where one or more of the members of the council of any municipality request it, the minutes of the council shall be kept in both official languages, and also read or circulated in those languages, unless the members resolve by a majority of votes to read or circulate the minutes alternately in the Dutch and English languages, or unanimously resolve to read or circulate them only in one of those languages."

With the Local Authorities (Language) Amendment Ordinance, No. 8 of 1933, the long title of the Ordinance No. 15 of 1916 was amended by the insertion after the word "Municipalities" of the words "Hospital Boards, the Warmbaths Board of Trustees and other public bodies". At the same time sub-section (1) of section two of the Ordinance of 1916 was amended by the insertion after the word "Union" of the following:

"provided that any notice required to be published by a council in a newspaper circulating in the municipality shall be published both in Afrikaans in such a paper printed in Afrikaans and in English in such a paper printed in English. Where, however, both official languages are regularly used as media of expression in any newspaper which, upon the application of any council, is





classified for the purposes of this section by the Administrator by notification in the Provincial Gazette as a bilingual newspaper such notice may be published therein in both official languages".

The Transvaal Provincial Council consolidated the legislation on the language usage of local authorities with the Public Bodies (Language) Ordinance, 1958. In this Ordinance it is provided, inter alia, as follows:

"2.(1) a council (the council or committee constituted for any municipality or any local area) may prepare and make available to its members in either the English or the Afrikaans language all minutes, agenda, documents or reports in connection with or intended for a meeting of such council or a committee or sub-committee of such council: Provided that if at least one member of a council, within three months after his election or re-election to such council, requests the town clerk in writing that all minutes, agenda, documents, or reports in connection with and intended for a meeting of such council, shall be available in both languages, the town clerk shall, subject to the provisions of sub-section (2), submit such request to the next meeting of the council, and the council shall at such meeting or, if for any reason such request is only submitted at a subsequent meeting at such subsequent meeting, be deemed to have taken a decision in accordance with such request unless the council at such meeting decides that such minutes, agenda, documents or reports shall be available in alternate months in the Afrikaans and English languages respectively or unless the request is withdrawn in writing by the member who made such request or unless such member ceases to be a member of the council concerned: Provided further that any annexure to the minutes, agenda, documents or reports aforesaid not originally prepared as part thereof and originating from any person or body not acting for such council, shall not be required to be in both languages.

(2) If a request referred to in sub-section (1) is received by the town clerk on a date which is less than one week before the next meeting of the council, such request shall be submitted by him to the meeting of the council following upon such first mentioned meeting.

(3) If the town clerk after having received a request referred to in sub-section (1) fails, refuses or neglects to submit such request to a meeting of the council as required by that sub-section (2), he shall be guilty of an offence and liable on conviction to a fine not exceeding twenty pounds in respect of each meeting of the council at which he so fails to submit the request.

(4) The town clerk shall, within three months of the date upon which a request was submitted to the council in terms of sub-section (1) or (2), give effect to the decision taken or deemed to have been taken as a result of such request unless within two months of such date he advances reasons to the satisfaction of the Administrator stating why he is unable to do so, in which event the Administrator may grant an extension of not more than a further three months to enable the town clerk to give effect thereto: Provided that if the decision of the Administrator, which shall be final, is not communicated to the town clerk within one month after the request for an extension was received by the administrator, any period of time between the





expiry of such month and the communication of such decision shall be added to the original period of three months allowed the town clerk.

(5) If the town clerk fails to comply with the provisions of sub-section (4) he shall be guilty of an offence and liable on conviction to a fine not exceeding fifty pounds, or, in default of payment, to imprisonment for a period not exceeding three months.

3.(1) If an address or other entry is required to be made on any form or document issued by the council to members of the public, such entry shall be made in the language which may reasonably be presumed to be the language the recipient of such form or document would use in any communication to the council or an officer of the council.

(2) The provisions of sub-section (1) shall be deemed to have been complied with where -

- (a) the entry is made in the language which the person concerned has requested the council to use in correspondence with him; or
- (b) the council has made a survey, approved by the administrator, of the language which individual members of the public desire to be used in correspondence addressed to them, and the entry has been made in that language; or
- (c) the council has taken such other steps approved by the Administrator to ascertain the language in which individual members of the public wish correspondence to be addressed to them and the entry is made in that language.

(3) The Administrator may, at the request of the council, exempt from the provisions of sub-section (1) any forms or documents issued to the public by the council where such forms or documents are not issued at regular intervals according to a fixed dispatch list and the Administrator may likewise exempt any forms or documents issued at regular intervals by the council according to a fixed dispatch list if, in his opinion, the provisions of sub-section (1) cannot be complied with by reason of the use by the council of a machine to facilitate the preparation or dispatch of such forms or documents, and, after the coming into operation of this Ordinance, a council shall not acquire any such machine without the prior approval of the Administrator.

(4) If a member of the public speaks to an officer of the council in connection with any activities of the council in one of the languages, such officer shall, subject to the provisions of sub-section (5), when replying to such member of the public reply in the same language and any letter addressed to the council or an officer of the council in his official capacity, by a member of the public in one of the languages, shall be replied to in the language in which it was addressed.

(5) Where an officer of the council is unable to comply with the provisions of sub-section (4) he shall reply to some other officer or white person wherever practicable.

- (6) (a) Any letter addressed by the council to a member of the public in circumstances not referred to in sub-section (4) shall be in the language which may be reasonably presumed to be the language the



recipient of such letter would desire the council to use in correspondence with him and such letter shall contain a notice in the other language that the member of the public concerned may, on a written request made within seven days after the date appearing on such letter, receive a similar letter in the other language if he so desires.

- (b) Where a request is made in terms of paragraph (a), any letter not complying with that request shall, notwithstanding anything to the contrary contained in any other law, be disregarded for any purpose whatsoever.

(7) Any officer of the council who wilfully refuses or fails to comply with the provisions of this section shall be deemed to have broken the conditions of his service with the council and the council may, notwithstanding anything to the contrary contained in any other law but subject to the provisions of section sixty-two of the Local Government Ordinance, 1939 -

- (a) caution or reprimand such officer; or
- (b) impose upon such officer a fine not exceeding £100 which may be recovered by deduction from such officer's emoluments in such instalments as the council may determine; or
- (c) reduce such officer's emoluments or reduce him in grade or rank; or
- (d) discharge him from the service of the council.

4.(1) Subject to the provisions of sub-section (4), a council shall not, except with the approval of the Administrator, appoint or promote any person in a professional, administrative or clerical post or in a post to which the Administrator has, by notice in the Provincial Gazette, applied the provisions of this section, unless such person is in possession of a valid certificate or other valid documentary proof of bilingualism recognized by the Administrator for the purposes of this Ordinance.

(2) A certificate or documentary proof of bilingualism referred to in sub-section (1) shall cease to be valid for the purposes of this Ordinance after the lapse of such period, from the date of its issue, as the Administrator may determine.

(3) The Administrator may require different standards of bilingualism in respect of officers of different grades or ranks in the service of a council: Provided -

- (a) That in determining the standard of bilingualism required for appointment or promotion in a professional, administrative or clerical post, the Administrator shall not determine a lower degree of language proficiency than would, in his opinion, be required of a candidate in order to enable such candidate to pass in both languages in the Transvaal standard eight school examination;
- (b) that for any such examination the Administrator shall take the following factors into account:





- (i) educational qualifications required for filling the post;
  - (ii) the extent to which the incumbent of the post will, in the exercise of his duties, come into contact with persons other than officers of the council; and
  - (iii) the extent to which the incumbent of the post will have to assess the bilingualism of other officers of the council.
- (4) The provisions of sub-section (1) shall not apply -
- (a) to any officer who was employed by such council before the 1st January, 1943;
  - (b) subject to the provisions of sub-section (5), to any officer appointed by such council on or after the 1st January, 1943 and before the 1st January, 1958 and who reached the age of thirty-five years before the 1st January 1958;
  - (c) where a council appoints a person in a post referred to in sub-section (1) for a period not exceeding twelve months: Provided that any extension of such person's appointment or re-appointment of such person, whether in the same or in any other post in the service of the council after the expiration of the first period of twelve months in the service of such council, shall make such appointment subject to the provisions of sub-section (1);
  - (d) when a council appoints a person, with the approval of the Administrator, on condition that the certificate or documentary proof of bilingualism shall be submitted to the council within a period of twelve months or such extended period as the Administrator may determine; and
  - (e) to a person who is not a white person.

(5) No officer mentioned in paragraph (b) of sub-section (4) shall be promoted in a post referred to in sub-section (1) unless the council has decided that he has an adequate knowledge of both languages for the post in which he is to be promoted.

5.(1) Any two members of a council, an officer of the council concerned or a staff association recognized by such council who are of the opinion that an appointment or promotion is in conflict with the provisions of sub-section (1) of section four, may, within fourteen days after the appointment or promotion was made, appeal to the administrator against such appointment or promotion by giving notice thereof by registered post directed to the Administrator and to the town clerk, and where such appeal is noted by an officer of the council or a staff association an amount of five pounds shall be transmitted together with such notice of appeal to meet the cost incurred in connection therewith.

(2) Within two months after receiving the appeal referred to in sub-section (1), the Administrator shall notify the person or persons who gave notice of the appeal and the town clerk concerned whether he has decided to uphold or dismiss such appeal, and such decision shall be final.



(3) When considering an appeal in terms of this section, the Administrator may require the town clerk to supply any relevant information from his files or registers and he may further require the officer against whom an appeal was made or an officer who may have made an appeal, to submit any certificate or any other document relating to his language proficiency.

(4) Where an appeal to the Administrator in terms of sub-section (1) is upheld, the appointment or promotion concerned shall be null and void: Provided that any salary or wage paid to the officer concerned or official action taken by him before the receipt of the Administrator's decision, shall not be affected thereby.

(5) Where the Administrator fails to notify his decision as required by sub-section (2), the appeal shall lapse.

(6) The amount referred to in sub-section (1) shall be refunded to the person by whom it was transmitted if the appeal is upheld by the Administrator and, in that event, unless otherwise directed by the administrator, a like amount shall be payable by the council concerned for the credit of the Provincial Revenue Fund.

(7) In the event of an officer being promoted, in terms of sub-section five of section four, any two members of the council who are of the opinion that such officer has not an adequate knowledge of either language for the post in which he was promoted, may, within fourteen days after the promotion was made, appeal to the Administrator against such decision by giving notice thereof by registered post directed to the Administrator and to the town clerk and thereupon the provisions of sub-sections (2), (3), (4) and (5) shall apply mutatis mutandis.

6.(1) Where, after the coming into operation of this Ordinance, any person, body or association of persons acquires the right to use any land belonging to a council by virtue of having entered into a lease or renewal of a lease or any other form of agreement with such council, the Administrator may, notwithstanding anything to the contrary contained in any other law, if his attention is directed thereto and if he is of the opinion, after consultation with the council concerned, that the use to which such land is or is to be put or the activities of such a person, body or association on such land is of such nature that the equal treatment of the languages used or to be used by persons admitted to or making use of such land or participating in such activities, is necessary, at any time impose as a condition of the right to use such land, such conditions as he may deem necessary to ensure the equal treatment of the languages and shall inform such person, body or association and the town clerk of the council concerned accordingly.

(2) If any person, body or association of persons fails to comply with any condition imposed in terms of sub-section (1), the Administrator may, as from a fixed date, cancel the right to use any land referred to in that sub-section and thereupon such right shall be null and void.

7. A resolution of a council or any instruction by an officer of a council to any other officer of that council that only one language shall be used in the internal administration of the council's affairs shall be null and void and shall not be binding upon any officer to whom it purports to apply".





With the Public Bodies (Language) Amendment Ordinance, No. 17 of 1960, the following new sub-section was added to section four of the Ordinance of 1958:

"6) Where the emoluments paid by the Council to a person referred to in sub-section (1), are improved, such person shall, for the purpose of this Ordinance, be deemed to have been promoted".

(ii) Orange Free State

In the Local Government Ordinance, No. 4 of 1913, it was provided by the Provincial Council:

"95. All minutes of the proceedings of the Council (Town Council) or its Committees and all books, writing, accounts and records thereof shall be made and kept in the English or Dutch language."

With the Local Government Amendment Ordinance, 1917, the following new Section was added to the foregoing Section 95 of Ordinance No. 4 of 1913:

"95A. (1) All information intended to be brought to the notice of the public of any Municipality or Village Management Board Area, whether by notice or otherwise, and all forms, writings, or papers of whatever kind intended for use of the public, shall be given and issued in both the official languages of the Union; and all requests in writing, for information addressed to any Municipality or Village Management Board by any member of the public, shall (in case of reply) be replied to in that official language in which the request was written.

(2) In case of any contravention of the above provisions the Town Clerk of the Municipality or the Clerk of the Village Management Board, as the case may be, shall be held responsible for such contravention and shall, upon conviction, be liable

- (a) in respect of a first offence to a fine of One Pound or in default of payment to seven days imprisonment, and
- (b) in case of any subsequent offence to a fine not exceeding Ten Pounds or in default of payment to imprisonment for a period not exceeding one month.

Provided that no prosecution shall be instituted against such Town or Board Clerk unless he shall have failed, after having received a written complaint from any member of the public pointing out the omission, to rectify the same within three weeks from date of receipt of such written complaint."

The Local Government Consolidation Ordinance, 1925, repealed the earlier legislation and provided as follows:





"78. All minutes of the proceedings of the Council or its Committees and all books, writings, accounts and records thereof shall be made and kept in one or other of the two official languages as the Council may determine."

"79. (1) All information intended to be brought to the notice of the public of any Municipality, whether by notice or otherwise, and all forms, writings, or papers of whatever kind intended for use of the public, shall be given and issued in both the official languages; and all letters addressed to any Municipality by any member of the public, shall be replied to in that official language in which the letter was written.

(2) In case of any contravention of the provisions of sub-section (1) the Town Clerk of the Municipality shall be held responsible for such contravention and shall, upon conviction, be liable

- (a) in respect of a first offence to a fine of One Pound or in default of payment to seven days' imprisonment, and
- (b) in case of any subsequent offence to a fine not exceeding Ten Pounds or in default of payment to imprisonment for a period not exceeding one month:

Provided that no prosecution shall be instituted against such Town Clerk unless he shall have failed, after having received a written complaint from any member of the public pointing out such contravention, to rectify the same within a reasonable time from date of receipt of such written complaint."

The foregoing provisions were retained without amendment when the Ordinance of 1925 was, in turn, replaced by the Local Government Ordinance, No. 15 of 1935. (Section 78 and 79 of the new Ordinance refer).

In the Local Government Consolidation Ordinance, 1948, which repealed all earlier language provisions, it was directed that:

"51. No person shall, in terms of this Section, be appointed to an administrative, clerical, professional or technical post in a permanent capacity or on probation unless such person is a Union National or British subject and has an adequate knowledge of both official languages; provided that in exceptional circumstances a unilingual person may be appointed, if the Administrator is satisfied that the appointment of such a unilingual person is in the interest of the Council and that a suitable bilingual candidate is not available."

The Ordinance of 1948 repeats the provisions of the 1925 Ordinance which, as has been mentioned, were perpetuated as Section 78 and 79 of the Ordinance of 1935.

In the Local Government Ordinance, No. 8 of 1962, which repealed all the aforementioned language provisions, the current provisions are:



"65. The minutes of the proceedings of a council or its committees, as well as all other official documents, shall, subject to the provisions of section one hundred and seventy-three, be in the one or the other of the two official languages, as the council may determine."

"67. (4) Except with the approval of the Administrator, no person shall be appointed to the post of town clerk or treasurer, or to an administrative, clerical, professional or technical post in the service of the council unless he is a South African citizen or a British subject and has an adequate knowledge of both official languages."

"137. (1) Whenever a council or board -

- (a) brings information to the notice of the public, whether by notice or otherwise; or
- (b) issues forms, writings or documents of whatever kind for the use of the public,

such information shall be given and such forms, writings and documents shall be issued in Afrikaans and English.

(2) All letters addressed to a council or board by a member of the public shall be replied to in the official language in which the letter was written.

(3) In the case of a contravention of a provision of sub-section (1) or (2), the town clerk shall be responsible for such contravention and guilty of an offence and liable on conviction -

- (a) in the case of a first offence, to a fine of two rand or to imprisonment for a period of seven days; and
- (b) in the case of a subsequent offence, to a fine not exceeding twenty rand or to imprisonment for a period not exceeding one month:

Provided that no prosecution shall be instituted against a town clerk unless he has failed, within a reasonable time after having received a written complaint from a member of the public pointing out such contravention, to rectify the contravention."

(iii) Natal:

With the Local Government Amendment Ordinance, 1953, the following section was inserted in the Local Government Ordinance, 1942:

"247 bis. All by-laws, regulations and rules made under the authority of this Ordinance or any other law relating to local authorities or malaria committees within the meaning of this Ordinance shall, whenever they are required to be promulgated in the Gazette, be so promulgated in both the official languages of the Union."

(iv) Cape Province:

The Divisional Councils and Roads Ordinance, 1917, provided as follows:





"345. Whenever by this Ordinance it is required that public notice shall be given of any matter or things such notice shall be in both the English and the Dutch<sup>19)</sup> languages: Provided that if such notice is required to be published in a newspaper circulating in the division it will be sufficient if the said notice be published both in English in such a paper printed in English and in Dutch<sup>19)</sup> in such paper printed in Dutch."<sup>19)</sup>

An identical section (72) appears in the Local Boards Ordinance, 1921 and the Village Management Board Ordinance, 1921 - Section 80.

The Cape Municipal (Amendment) Ordinance, 1931, provided, inter alia, as follows:

"9. Whenever a Municipality is required to give public notice of any matter or thing such notice shall be in both the English and the Afrikaans languages: Provided that if such notice is required to be published in a newspaper circulating in the Municipality, it will be sufficient if the said notice be published both in English in such a paper printed in English and in Afrikaans in such a paper printed in Afrikaans."

This stipulation was the first to be made for city and town councils in the Cape Province. The Cape Municipal Ordinance, No. 10 of 1912, contained no language provisions.

The Municipal Ordinance, 1951, provided as follows:

"265.(2) Whenever anything is by this Ordinance authorised or required to be publicly notified whether it be by publication, advertisement or otherwise, such notification shall be in both the Afrikaans and English languages: Provided that if such notification is required to be in the press, it shall be sufficient if it appears in Afrikaans in a newspaper printed in Afrikaans and in English in a newspaper printed in English."

The Divisional Councils Ordinance, 1952, contains a section (240 (2)) couched in terms identical to that just quoted.

(v) General:

Apart from the foregoing provisions in the Acts of Parliament and the Ordinances of the provincial councils, local authorities are free to make

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19) Amended to Afrikaans by Ordinance 9 of 1936 (Section 10).



their own by-laws or regulations on the subject of language qualifications for their officials provided such by-laws or regulations are not inconsistent with the provisions of the parliamentary and provincial legislation. In practice the various local authorities do prescribe language and other qualifications for their personnel.

#### 4. THE TRANSKEI

As has been outlined in Chapter I under the sub-heading "Languages and basic central legislation since Union" the passing by the Parliament of the Republic of the Transkei Constitution Act, 1963 - which conferred a measure of internal self-government on the Transkei, a Bantu territory forming an integral part of the Republic of South Africa - was preceded during the same Parliamentary Session by the passing of the Constitution Amendment Act, 1963, whereby a new sub-section (3) was inserted in Section 108 of the Republic of South Africa Constitution Act, 1961. For ease of reference the new sub-section is quoted once again:

"(3) Notwithstanding the provisions of sub-section (1) an Act of Parliament whereby a Bantu area is declared to be a self-governing area in accordance with the provisions of that Act, may provide for the recognition of one or more Bantu languages for any or all of the following purposes, namely -

- (a) as an additional official language or as additional official languages of that area; or
- (b) for use in that area for official purposes prescribed by or under that Act,

and may contain provisions authorizing the use of any such Bantu language outside the said area for such purposes connected with the affairs of that area and subject to such conditions as may be prescribed by or under that Act."

This statutory provision is designed to enable the Bantu in the Transkei, initially, and later in the various other homelands still to be created, to use their own tribal languages for official purposes in addition to the two European official languages and to entrench the language rights of the Bantu in the same way as those of the Whites for, be it noted, that in terms of Section 118 of the Republic of South Africa Constitution Act, 1961, Section 108 of the Act can only be amended or repealed by a two-thirds majority of all



members of both Houses of Parliament in joint session.

## 5. SOUTH WEST AFRICA

After World War I the Government of the Union of South Africa was entrusted by the Allied Powers with a "C" Mandate (later confirmed by the now defunct League of Nations) whereby South West Africa was to be administered as an integral part of the Union. As a result, the officials employed by the central administration in South West Africa became members of the Public Service of the Union of South Africa. On the Legislative Assembly of South West Africa and its Executive Committee was nevertheless conferred subordinate authority on a number of matters on which, as was the case with the provinces within the Union, they were thus free to make their own arrangements e.g. education, local government, road construction, etc. This arrangement is still in force.

English and Afrikaans are, therefore, also the official languages in South West Africa. However, every member of the Legislative Assembly has the right to address the House in the German Language. In the Supreme Court German may also be used in the proceedings. German is likewise a medium of instruction in the primary schools.

It must be stressed, however, that German is not a recognised full official language in South West Africa. Its use under the aforementioned concessions has nevertheless done much to meet the German-speaking section of the White population and to gain their co-operation in the running of the Territory. Public officials are not required to possess a knowledge of German, but quite often, especially at the local government level, it is stipulated that a working knowledge of German will be regarded as a recommendation in the selection of candidates for the filling of particular posts.





## 6. GOVERNMENT CORPORATIONS AND OTHER GOVERNMENTAL INSTITUTIONS

Apart from the institutions referred to above, there is a considerable number of public bodies created from time to time on an ad hoc basis by special legislation, proclamation or other directive to render particular services or provide for matters of public interest. Examples of such bodies are:

- (i) The government corporations like the South African Reserve Bank, the Land and Agricultural Bank of South Africa, the South African Iron and Steel Industrial Corporation Limited, the South African Broadcasting Corporation, the Industrial Development Corporation of South Africa, and the Electricity Supply Commission;
- (ii) the research institutions, e.g. the Council for Scientific and Industrial Research, the South African Bureau of Standards, the Fuel Research Institute of South Africa, and the Atomic Energy Board; and
- (iii) the agricultural products control boards, e.g. the Livestock and Meat Industries Control Board, the Citrus Board, the Egg Board, the Potato Board, etc.

It has never been usual to include language provisions in the Acts, proclamations or other directives whereby these various categories of peripheral public institutions - sometimes referred to as semi-State bodies - were established. A noteworthy exception is the South African Broadcasting Corporation. In the Broadcasting Act, 1936, whereby the Corporation was brought into being, the following provision appears:

"14. The corporation shall frame and carry out its broadcasting programmes with due regard to the interests of both English and Afrikaans culture."

In pursuance of the foregoing statutory requirement, the Corporation provides separate English and Afrikaans programmes to which practically the same amount of broadcasting time is devoted. A comprehensive and ever-widening service is, incidentally, also provided in the various Bantu languages.

While no other specific statutory provisions regarding language have been made in this field it has always been accepted that the State-controlled corporations, research institutions and the agricultural products control boards would faithfully observe the spirit of the language clauses of the South Africa Act, 1909, and of the Republic of South Africa Constitution Act, 1961. As far as can be ascertained, they have, in fact, always done so.



CHAPTER IV

PRESSURE GROUPS AND THE LANGUAGE POLICIES AND PRACTICES  
IN THE PUBLIC SECTOR

In this chapter the attitudes of pressure groups in respect of the language policies and practices in the public sector are examined. To obtain a realistic picture of what the position is in this regard, the best line of approach would be to start with the political parties, then to pay attention to cultural organisations and finally to professional bodies, public employee associations and related bodies.

For the purpose of this inquiry the logical and obvious point to start is immediately after the Anglo-Boer War (1899 - 1902). Prior to the War the rôle played by pressure groups and political parties in regard to the language issue may be ignored with the possible exception of the Cape Colony. Especially in the northern provinces there was what might be called "... a singular absence of party political feeling".<sup>1)</sup>

At the same time it is also necessary to analyse the views of Lord Milner, the man who, as High Commissioner for South Africa and Governor of the Transvaal and the Orange River Colony<sup>2)</sup> assumed the main responsibility for framing and applying British policy in South Africa after the War.

1. THE POLITICAL PARTIES

A. Post-war South Africa

(a) Lord Milner and British policy

The activities of Lord Milner deserve closer examination because they are to some extent applicable in the Canadian situation. In many respects the

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- 1) D.W. Kruger: South African Parties and Policies (Cape Town: Human & Rousseau, 1960), p. III.
- 2) L.M. Thompson: The Unification of South Africa 1902 - 1910 (Oxford: Clarendon Press, 1960), p. 4.





programme adopted by Milner was remarkably similar to that drawn up by Lord Durham in 1839 for the eradication of French Canadian nationalism. Not only was there the same insistence on the need for British immigration and for the Anglicisation of the settler community of non-British stock, but with Milner too there was the belief that material progress would promote his political objectives.<sup>3)</sup> The following quotations illustrate Milner's ideas.

In November 1899 Milner wrote:

"There must be one flag, the Union Jack, but under it equality of races and languages. Given equality all round, English must prevail, though I do not think and do not wish that Dutch should altogether die out."<sup>4)</sup>

Then in December 1900:

"Next to the composition of the population, the thing which matters most is its education ... Dutch should only be used to teach English, and English to teach everything else. Language is important but the tone and spirit conveyed in it is even more important."<sup>5)</sup>

During the peace talks in 1901 Milner wrote to Chamberlain:

"... We should be somewhat stiffer on ... language. It should be clearly understood that ... we do not promise equality of the two languages. English must be the official language and the principal medium of instruction."<sup>6)</sup>

As is explained elsewhere Milner did his utmost to put his ideas into practice, but with singular lack of success in the long run.

#### (b) Transvaal

The first conscious attempt towards political grouping in the northern provinces was made after the Anglo-Boer War when the Afrikaner leaders in the two new British colonies began organizing their people. In January 1905 General Botha announced the formation of a political party styled "Het Volk"

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3) Ibid., p. 6.

4) Ibid.

5) Ibid., p. 7.

6) Ibid., p. 10.



(The People), whose basic objective was the conciliation of the English and Dutch peoples in South Africa.<sup>7)</sup> "Het Volk" won the support of nearly all Afrikaners. Meanwhile three other bodies were canvassing for the support of people of British origin in Transvaal - the "Transvaal Progressive Association", the "Transvaal Responsible Government Association" and an "Independent Labour Party".<sup>8)</sup>

(i) "Het Volk"

As far as the "Het Volk" party was concerned the principle of conciliation was adopted but its intentions regarding the language question were far from clear. What is known is that although the "Het Volk" came to power in Transvaal, Botha refused to have the Civil Service flooded with Afrikaners.<sup>9)</sup> Furthermore, General Smuts, Botha's right hand man, was not prepared to oppose the Milner policy or to antagonise the opposition party as far as education was concerned. In this spirit he drafted a moderate Bill providing for instruction in the home language in the early standards only. If the home language was Dutch, English was to be introduced gradually as a medium, until in and after Standard IV English was to be the sole medium of instruction.<sup>10)</sup>

Although Smuts's 1907 Education Act was considered a great step forward for the Afrikaner and his language, it should be borne in mind that it by no means satisfied the actual demands of the Afrikaner. There can be no better example of this frustration than the Christian National Education schools which sprang up everywhere as a reaction to the Milner policy. The C.N.E. schools were private establishments kept going by the Afrikaners in spite of

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7) Ibid., p. 21.

8) Ibid., p. 22.

9) Ibid., p. 33.

10) Ibid.



their economic deprivations at that time, in which Afrikaans was taught and in which the idea of traditional cultural-religious principles was paramount.

"Het Volk", it may be concluded, may well have desired language equality but the policies it initiated to this end were, to the Afrikaner, blatantly pro-English and certainly not conducive to conciliation in the field of language.

(ii) The Transvaal Progressive Association

This group was in favour of closer co-operation with England and their attitude towards the language problem is reflected in the words of their leader, Sir George Farrar:

"... our earnest desire is that this Government, the coming Government of this country, shall be a British Government, carried on on British principles, by British Officials and British institutions."

After saying this, Sir George quoted with approval the following words of Lord Durham:

"It must henceforth be the first and steady purpose of the British Government to establish a British population with British laws and language in this Province, and to trust its Government to none but a decided British Legislature."<sup>11)</sup>

(c) The Orange River Colony

In the Orange River Colony conciliation was far from the thoughts and policy of the Government. Unlike "Het Volk" the "Orangia Unie" led by General Hertzog, had no need to curry favour with the English-speaking voters, because the overwhelming majority of the Orange River Colony electorate consisted of Afrikaners.<sup>12)</sup>

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11) W.A. Kleynhans: Politieke Strominge en Verantwoordelike Bestuur aan die Kaap (Univ. van Pretoria, 1952), p. 77.

12) Thompson, op.cit., p. 34.





Hertzog was perhaps the ablest of all the politicians and leaders in the Colony, and to a large extent the leadership of the "Orangia Unie" rested squarely on his shoulders. He worked out a theory of the relations which should exist between the English and the Dutch in South Africa:

"Krugerism, he considered, had erred in allowing no place for the British, although it was clear that they had come to South Africa to stay. Milnerism had erred outrageously in repressing the Afrikaners. The proper policy was to foster the creation of a white South African nation composed of two sections, Afrikaner and British, each maintaining its own distinctive culture and its group identity, but co-operating with the other on a basis of complete equality. The touchstone of this equality was the language question. Once the Dutch language had a position of absolute equality with English, especially in the schools, Boer and Briton would grow to trust and respect each other and the Boer could safely co-operate. But first the position of equality had to be attained. Otherwise Afrikaner culture would be submerged and the Afrikaner people would disintegrate."<sup>13)</sup>

Soon after Hertzog took office as a Cabinet Minister in the Orange River Colony he set to work drafting his Education Bill which became the School Act of 1908. He wanted children to be instructed in the language they knew best, be it English or Dutch, up to Standard IV while the other language would be taught as a subject. After Standard IV at least three subjects would be taught in English and three in Dutch. Hertzog felt that this was equality indeed.<sup>14)</sup>

Hertzog, however, was criticized for both his policy and his School Act - especially by the English Press, and this led inevitably to a deepening of the rift between the leaders of "Het Volk" and the leaders of the "Orangia Unie".

(d) Cape Colony

Drawing inspiration from the Transvaal struggle against Britain during the first Anglo-Boer War (1880 - 1881) the Rev. S.J. du Toit of Paarl, leader

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13) Ibid., pp. 35 - 36.

14) Ibid., p. 36.



of the First Afrikaans Language Movement, made an attempt to organise the Afrikaners of the Western Cape Province politically. He accordingly founded an exclusively Dutch organisation - the Farmers Protection Association.<sup>15)</sup>

In 1883 the Afrikaner Bond came into being under the leadership of J.H. Hofmeyr and replaced the Farmers Protection Association. The idea was that both language groups of the White population should find a political home in the Bond on those broader South African problems on which Dutch and the English-speaking groups could agree. According to the Bond's 1883 constitution everybody, regardless of his language grouping, was considered to be an Afrikaner if his aim was the welfare of South Africa.

The Bond's objective was a South African nationality based on true patriotism with a united South Africa as the ultimate ideal and it therefore encouraged Afrikaners to participate actively in party politics. In 1907 Hofmeyr stated clearly that the goal of the Bond was the achievement of a feeling of national unity, self-respect and pride in its members as British South Africans. He considered that without a strong feeling of nationality which would bind both English and Dutch-speaking South Africans into a nation, the union of the colonies would be unattainable.<sup>16)</sup>

At no time had Hofmeyr questioned the Cape's status as a British colony. Within that framework he worked for greater official recognition of the Dutch language and step by step obtained concessions which, nevertheless, fell far short of equality with English in the administration and the schools, since many of the senior civil servants had no knowledge of Dutch whatsoever and all

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15) Kruger, op.cit., p. IX.

16) Ibid.





the public examinations were conducted in English.<sup>17)</sup>

Another development which should be mentioned here was the formation of the South African Party in 1903 when several leading anti-imperialist politicians joined forces with the Bondsmen at parliamentary level although the Bond retained its own extensive organisation and, in effect, complete autonomy.<sup>18)</sup> John X. Merriman emerged as the Prime Minister and leader of the South African Party although his majority was dependent on the support of the Bond of which he was not a member. Although he was a bitterly anti-imperialist and an opponent of Botha's conciliation policy,<sup>19)</sup> he stood outside the Afrikaner cultural movement and in fact expected that in the long run English would become the only language of South Africa.<sup>20)</sup>

(e) Natal

"Natal politics were completely different from the politics of the other self-governing South African colonies because most of the Whites in Natal were of British stock and very anxious to preserve the British character of their colony. Since Natal acquired responsible government in 1893, the colony had been controlled by shifting groups of British colonists, nearly all of whom represented the farming interest and had much the same outlook."<sup>21)</sup>

(f) Conclusion

The pre-union political parties or affiliations in the various colonies may be grouped as follows:

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17) Thompson, op.cit., p. 37.

18) Ibid.

19) Ibid., p. 38.

20) Ibid., p. 39.

21) Ibid., p. 39.



Colonies —	A definite tendency towards Dutch (Afrikaans) sentiments and mainly Dutch-speaking (O.F.S.)	Dutch and English roughly in mutual balance (Transvaal and Cape Colony).	A definite bias in favour of things English and mainly English-speaking (Natal).
Favouring a policy of conciliation between the two cultural groups.		"Het Volk", South African Party, "Afrikaner Bond".	Natal citizens in general although without party affiliations.
Against or indifferent towards conciliation between cultural groups.	"Orangia Unie".	Anti-imperialists like John X. Merriman. Progressive Party.	

This table reflects to some extent the political attitudes and potential pressure groups which were later to confront each other at the National Convention. From their very diversity was born the conciliatory provisions of the South African Constitution.

#### B. Political parties and pressure groups after unification

In this section reference is made to the language issue as a plank in the platforms of various political parties since Union - all of which aimed at or at least paid lip-service to the elimination of language friction in the public sector. On the surface at least, most of them therefore advocated a policy of language equality in the best tradition of the National Convention.

##### (a) The South African Party<sup>22)</sup>

From the first elections held in the Union of South Africa, General Louis Botha emerged as Prime Minister enjoying the support of the "Orangia Unie", "Het Volk" and the "Afrikaner Bond". All three parties were protagonists of the unification of the colonies on a broad South African basis

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22) Kruger, op.cit., p. 48.



with English and Afrikaans as equal official languages on the basis of Section 137 of the South Africa Act, 1909. Overt expression of the new idealism took the form of the 1911 merging of the three parties to form the South African Party, a name already adopted by the "Afrikaner Bond" in 1908 and generally accepted by the new unified party under the leadership of General Botha.<sup>23)</sup>

At the inaugural congress of the unified party held in November 1911 in Bloemfontein, General Botha in his opening address made certain interesting policy statements regarding the language issue.<sup>24)</sup> The following are samples:

"... Let us work with united strength for a better understanding and co-operation between the White races. Let us stick absolutely to equality on the free basis as laid down in the Constitution, and let us respect each other's language and traditions. In this manner political co-operation will be complete ..."<sup>25)</sup>

"... I have somewhat laboured this point, but it is the basis and the foundation of our party. It has for its object the consolidation of all South Africans, no matter what their origin may be. When I look about me and I ask myself what is there still remaining that is still separating or tends to separate the two races in South Africa, I see nothing in our Constitution. The great question of equal rights for both languages has been settled for ever and all that now requires to be done in honourably to carry this into effect."<sup>26)</sup>

"But one thing of great importance has not been settled by the Constitution, and was left to the future. I refer to the education question. I must say I attach the very slightest importance to the shrieks of the Opposition and the Opposition papers on this question ..."<sup>27)</sup>

"You will see, therefore gentlemen, that where the Government has been accused by the Opposition of breach of faith with reference to this question of education there is not a tittle of justification. We have not brought the matter on public platforms in the endeavour to solve this intricate and delicate question. But we have been silently using our influence to get this

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23) Kruger, op.cit., p. 9.

24) Ibid., p. 50; as reported in The Star, 21 November 1911.

25) Ibid., p. 51.

26) Ibid., p. 52.

27) Ibid.





question properly adjusted, and it is today a particularly pleasing duty to mention to you that to the letters addressed by me to the Administrators replies have been received by me which are highly satisfactory. That is to say, that at the first session of the Provincial Councils of the Cape, the Free State and Natal a modification of the laws will be proposed on the language question, either in the spirit of the majority report of the Select Committee, or with the addition of the stipulation adopted by the Transvaal Provincial Council. Therefore, gentlemen, when these laws are passed, as I hope they will be passed, there will be nothing in South Africa to divide the white races. The last obstacles will then be removed and the racialistic question in its full form will then cease to exist in South Africa."<sup>28)</sup>

In retrospect we know that these fine sentiments were over-optimistic and based on an over-simplification of the differences between Boer and Briton which the passage of half a century and the threats of a hostile world are only now beginning to remove.

(b) The National Party

Afrikanerdom in the broad sense was willing to abide by the political consequences of the Anglo-Boer War (1899 - 1902), but Afrikaners in a narrower sense refused to acquiesce in the loss of their cultural identity or to accept an inferior constitutional status. That was always the underlying theme in what came to be known as "Hertzogism", a school of thought which found political expression in the National Party formed by Hertzog in January 1914. The National Party had from the outset a close affinity to the Afrikaans cultural movement and the combination gave great impetus to the constitutional development of South Africa.<sup>29)</sup>

Addressing patrons at a show in Nylstroom on the 5th October, 1912, General Hertzog mentioned the language agitation, and said he would go out of his way to meet the English section, provided no sacrifice of principle were involved. He went on to assert that the Dutch were the last people in the

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28) Ibid., pp.52 - 53.

29) Ibid., pp.X - XI.



world to be aggressive. He remarked on the fact that English was used for just about everything at the show although a good half of the people present were Dutch-speaking. Would not the English have claimed a half share had the situations been reversed? Anybody surrendering his people's language rights could not escape being called a traitor. He confined himself to Dutch because the English did not need his advocacy of their language. They were all equals, and the Dutch people would not yield one inch on the question of practical equality of language, for he was, above all, not merely an advocate of form.<sup>30)</sup>

A Programme of Principles for the National Party was drawn up at Bloemfontein in January 1914. Article 7 of this Programme is of particular interest:

"7. The party recognises the right of every inhabitant of the Union to have the official language which is his own, acknowledged in public offices or in the public service everywhere in the country, and to be served in that language by Government officials. The Party declares, therefore, that the appointment of officials who do not possess the necessary knowledge of both official languages, is a negation of the rights and interests of the inhabitants."<sup>31)</sup>

In 1952 a revised programme was adopted by the National Party of South Africa of which the following is an extract:

"VI. Equal Languages Rights and Co-operation between the European Races

15. The party desires to foster a spirit of mutual trust and co-operation between the European races. It will thus ensure that equal language rights for the English and Afrikaans-speaking section of the population are observed in practice and maintained in every way in all spheres of South African national life where the State is concerned or is able to exert influence. The principle of bilingualism will therefore be applied faithfully, not only in the various departments of the Civil Service, but also in all parts of the Provincial Administration and in all public administrative bodies in state or in state-aided institutions."<sup>32)</sup>

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30) The Star, 5 October, 1912.

31) Kruger, op.cit., p. 70.

32) Ibid., p. 97.





(c) The United South African National Party (The United Party)<sup>33)</sup>

"Programme of Principles

As adopted by the inaugural congress of the party on the 5th December, 1948.<sup>34)</sup>

"3. Equal Language Rights

Equal language rights in respect of the Afrikaans-speaking and English speaking sections of the population shall, in practice, in so far as the state is concerned therewith, be exercised and maintained in all respects, and in every part of our national life within the Union."<sup>35)</sup>

(d) The Dominion Party of South Africa

"Program of Principles

(Approved at First Annual Congress, held in Durban from the 29th to 31st October, 1934 and published as a pamphlet)."<sup>36)</sup>

"(3) Language Equality

The preservation of equal language rights as prescribed in the Act of Union, i.e. the right of every South African, including every Government servant, to use either or both languages at his option, save in so far as the use of the second language is an essential qualification for the work on which he may be engaged."<sup>37)</sup>

(e) Union Federal Party

"Programme

(The Natal Mercury, 11 May, 1953)."<sup>38)</sup>

"IV. The Rights of Provinces in given circumstances to determine their own futures

We shall work for the maintenance and assertion of the right of the people of any Province of the Union, in the case of any actual, attempted or projected violation of the letter or the spirit of the Constitution, to remain a part of the Commonwealth of Nations under the Crown; a Province so

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33) Ibid., p. 85.

34) Ibid.

35) Ibid., p. 86.

36) Ibid., p. 89.

37) Ibid., p. 90.

38) Ibid., p. 101.



as to act in the following amongst other eventualities: A weakening of our allegiance to the Crown; the setting aside of the Entrenched Clauses; the denial of the testing power of the Courts; the abolition of the Provincial Council system or the reduction of Provincial powers; the abolition of full protection as of recognition of the equal rights of both official languages."

(f) The Progressive Party of South Africa

The governing National Party, the United Party and the relative newcomer on the scene, the Progressive Party, are today the three main political parties in South Africa. Although the Progressive Party has only one member in Parliament it does, in fact, have a somewhat wider appeal with the electorate than this limited representation might suggest. Some attention should, therefore, be given to the general cultural and language policy of this party:

"Programme

(Main principles and policies adopted at the inaugural congress held from the 13th to 14th November, 1959, in Johannesburg. Issued by the Party's Public Relations and Publicity Department, Johannesburg)."40)

"(3) The recognition that in the Union of South Africa there is one nation which embraces various groups differing in race, religious, language and traditions; that each such group is entitled to the protection of these things and to participate in the government of the nation; and that understanding, tolerance and goodwill between the different groups must be fostered."41)

The Progressive Party also favours Constitutional reform:

"To guarantee, by inclusion in the Constitution of an entrenched Bill of Rights, the fundamental human rights and liberties of the individual, such as freedom of religion, speech and association, equal protection of the laws, and also the equal status of the official languages."42)

Finally the Progressive Party has an interesting angle on education:

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39) Ibid., pp.101 - 102.

40) Ibid., p. 105.

41) Ibid.

42) Ibid., p. 106.



### "Parental choice and Type of school

The party recognises the fundamental right of the parent to determine the medium of instruction of his child.

While not derogating from the right of the parent, whenever it is practicable to select the type of school in which his child should be educated, the party will encourage the establishment of parallel and dual-medium schools,"<sup>43)</sup>

### C. General

From the foregoing it will be seen that there is not a single political party of any consequence in South Africa with so little insight into the mind of the people as to hazard touching the principle of equal language rights laid down in the Constitution. Application of these statutory provisions on bilingualism will nevertheless always give rise to differences and the topic will doubtless offer considerable scope for political controversy and even acrimony for many years to come - although the intensity with which the participants propound their theories is fortunately showing signs of diminishing in the face of a growing national awareness and unity of purpose.

### 2. PROFESSIONAL BODIES AND EMPLOYEE ASSOCIATIONS

Public officials in South Africa are free to become members of professional bodies, e.g. the Medical Association of South Africa, the South African Nursing Association, the Institute of Cost and Works Accountants, the Institute of South African Architects, the Institute of Land Surveyors, and the South African Institute of Electrical Engineers. These bodies also enrol persons employed in the private sector. In general, all these professional bodies voluntarily observe bilingualism in their deliberations although there is nothing to compel them to do so.

Members of the Public Service on the permanent establishment employed in the central departments of State, the provincial administrations and in

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<sup>43)</sup> Ibid., p. 111.





the Administration of South West Africa have formed their own associations, four of which have been granted official recognition, viz. the Public Servants' Association of South Africa which enrolls as members public servants employed in all the central departments of state (with the exception of the Department of Posts and Telegraphs) the provincial administrations and South West Africa; the Postal and Telegraph Association of South Africa whose membership is restricted to clerical and administrative officials of the Department of Posts and Telegraphs, the South African Telecommunications Association which caters exclusively to engineering and technical personnel of the Department of Posts and Telegraphs, and lastly the South African Postal Association with a membership drawn from postmen and other lower-graded officials of the Department of Posts and Telegraphs. These four associations are most assiduous in observing bilingualism in the conduct of their affairs although, again, there is nothing whatsoever, other than goodwill, preventing them from dropping that approach.

Personnel of the South African Railways Administration and the South African Airways also have their own associations, e.g. the Salaried Staff Association (S.A.R. & H.). These associations also practice bilingualism on an entirely voluntary basis.

Groups of provincial officials have likewise established homogeneous associations of which the various teachers' associations are particularly important. The teachers' associations are organised on provincial lines and are the only associations of employees in the public sector organised on the basis of language. Thus we find the Transvaal Onderwysersvereniging for Afrikaans-speaking teachers, and the Transvaal Teachers Association for their English-speaking colleagues. These associations conduct their activities exclusively in the language of their members.



Local government officials are grouped in their own professional bodies on a speciality basis as for example, the Institute of Town Clerks of Southern Africa, the Institute of Municipal Treasurers and Accountants, the Institute of Park Administration of South Africa. Associations of municipal employees, which are comparable with trade unions, have also been formed and in this category the largest is the South African Association of Municipal Employees. All these professional bodies and associations voluntarily conduct their activities in both official languages.

In addition to the aforementioned trade union type of associations the following cultural societies have been established by the Afrikaans-speaking personnel of (a) the Department of Posts and Telegraphs, (b) the South African Railways, Harbours and Airways, (c) the Defence Force, and (d) the South African Police Force, respectively:

- (a) Die Afrikaanse Taal- en Kultuurbond - Pos en Telegraaf (The Afrikaans Language and Cultural Bond - Posts and Telegraphs).
- (b) Die Afrikaanse Taal- en Kultuurvereniging - Suid-Afrikaanse Spoorweë en Hawens (The Afrikaans Language and Cultural Association - South African Railways and Harbours).
- (c) Die Afrikaanse Kultuurvereniging vir Volk en Vaderland (The Afrikaans Cultural Association for Nation and Fatherland).
- (d) Die Afrikaanse Kultuurvereniging vir die Suid-Afrikaanse Polisie (The Afrikaans Cultural Association for the South African Police).

English-speaking members of the personnel of the relevant institutions are also eligible for membership of these cultural bodies whose activities are, however, conducted throughout in Afrikaans.

### 3. CULTURAL ORGANIZATIONS

A veritable host of cultural bodies and pressure groups pursuing cultural objectives is in existence in South Africa. Some of these bodies confine





their membership to a particular language group, but the vast majority enrol both English and Afrikaans-speaking members. It is, of course, quite impossible to deal individually with these multitude of bodies in a report of this nature. Reference will, therefore, be made only to a small number of such organisations whose activities may have a bearing on the language question.

A. Organisations accused of practising nepotism

On the 28th July, 1964 after a stormy debate in Parliament, involving both the Prime Minister and Leader of the Opposition personally, the State President appointed the Honourable Mr. Justice D.H. Botha, a Judge of the Appeal Court, as the sole member of a commission to inquire into and report upon the activities of Freemasons, the Afrikaner Broederbond and the Sons of England. The report of this Commission<sup>44)</sup> provides information on all three important cultural bodies which are dealt with separately below. The Commission was, inter alia, instructed to report on the question as to whether the abovementioned three organisations had been guilty of -

"(d) nepotism or interference with appointments and promotions in the Public Service, the Defence Force or the Police Service so that persons are appointed or promoted for reasons other than merit."<sup>45)</sup>

Freemasonry

The Commission pointed out that Freemasonry is a centuries-old institution. The first freemasons' lodge was established in South Africa in 1772 under a charter from the Grand Lodge of the Netherlands. The Com-

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44) Republic of South Africa: Report of the Commission of Enquiry into Secret Organizations (Pretoria: Government Printer, 1965).

45) Ibid., p. 1



mission also reported that Freemasonry "is not a political organization" and that it maintains an "unalterable policy of standing aloof from every question affecting the relations between one government and another, or between political parties or questions as to rival theories of government".<sup>46)</sup>

Further relevant findings of the Commission are as follows:

(i) Since February 1961 the "masonic jurisdiction in South Africa is exercised by the Grand Lodges of England, Scotland, Ireland and Southern Africa".<sup>47)</sup>

(ii) "In the 519 lodges in South Africa there are altogether approximately 20,000 freemasons, but many are no longer active members. A large percentage of the members is Afrikaans-speaking. The members of the lodges under the Grand Lodge of Southern Africa are predominantly Afrikaans-speaking."

The Commission found nothing "in the masonic oath which pledges a freemason to discriminate in an unethical way against non-freemasons and in favour of members of the order.

... (T) he solemn undertaking of a freemason to aid a brother freemason in distress does not bind him to advance a brother freemason or to promote his interests above those of a non-freemason in an improper manner or at the expense of a non-freemason".<sup>48)</sup>

The conclusion of the Commission "is that freemasonry in South Africa is not guilty of any conduct mentioned in the terms of reference".<sup>49)</sup>

Freemasonry is dealt with in this report solely because it is so often alleged that masons who manage to penetrate the highest echelons in the public sector are guilty of covertly discriminating against non-freemasons. Rumours of this nature were particularly rife prior to 1948, and, although greatly diminished, still circulate from time to time.

#### The Afrikaner Broederbond

This secret organization was founded in 1919. The aims of the Bond are:

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46) Ibid., p. 11.

47) Ibid., p. 12.

48) Ibid., p. 18.

49) Ibid., p. 19.



- "(a) The attainment of a healthy and progressive unanimity amongst all Afrikaners who strive for the welfare of the Afrikaner people;
- (b) the kindling of national self-awareness in the Afrikaner and the instilment of a love for his language, religion, traditions, country and people;
- (c) the promotion of all the interests of the Afrikaner people."<sup>50)</sup>

Further observations by the Commission on the Bond are as follows:

- (i) "To-day the Afrikaner Broederbond is a vigorous and dynamic organization in the national life of the Afrikaner with a membership of 6,768 (on 30th November, 1964) divided into 473 divisions."<sup>51)</sup>
- (ii) "The Bond is a service organization intended to serve the Afrikaner, and its field of operations is the sphere of work of the Afrikaner people as a separate historical, Protestant-Christian language and cultural community."<sup>51)</sup>
- (iii) "The activities with which the Bond occupies itself from time to time are determined by the needs of the Afrikaner people at that particular moment."<sup>52)</sup>
- (iv) "Membership of the Bond is restricted to White males over the age of 25 years; they must be Afrikaans-speaking, belong to the Protestant faith and be professing members of one of the three Afrikaans churches, not be freemasons, have a clean character and firm principles (this also applying to their Afrikanership), and accept South Africa as their only fatherland.  
... Candidates may apply for membership only after they have been chosen and approved by the Bond as likely candidates."<sup>52)</sup>

In regard to the above-quoted paragraph (d) of its terms of reference the Commission obtained sworn statements from the Chairman of the Public Service Commission, the Commandant-General of the Defence Force, the Commissioner of Police, the General Manager of the South African Railways, the Postmaster-General, the Commissioner of Prisons, the Secretary for Justice and the four Provincial Secretaries.<sup>53)</sup> After consideration of these

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50) Ibid., p. 4.

51) Ibid.

52) Ibid., p. 5.

53) Ibid., p. 8.





affidavits and other evidence submitted to it the Commission reported that it "could find no evidence of actual preferential treatment of members of the Bond in respect of appointments and promotions in the Public Service. ... A fair number of the more important posts in the Public Service, Defence Force and Police Service are admittedly occupied by officers who are members of the Bond, but no inference of nepotism can be drawn from this fact to the detriment of the Bond."<sup>54)</sup>

The conclusion of the Commission is also "that the Bond is not guilty of any conduct mentioned in the Commission's terms of reference".<sup>55)</sup> This conclusion is also referred to here if only because the Afrikaner Broederbond and its members have repeatedly - especially since 1948 - been accused of favouring its members in particular and Afrikaans-speaking persons in general when posts in the public sector are filled by appointment or promotion. The accusation levelled (and now rejected by the Commission) is that members of the Bond serving in higher-graded posts in the public sector are the instruments of the Bond for the achievement of its objectives.

#### The Sons of England

The first lodge of the Sons of England in Africa was inaugurated at Uitenhage in the Cape Province on the 19th December, 1881, under a charter granted by the Grand Lodge of the Canadian society. Membership in South Africa "is, in general, restricted to British-born males or to males of British descent, or to the male descendants of a naturalised British subject".<sup>56)</sup>

One of the objectives of the society is "The promotion and fostering of English culture, language, education and traditions".<sup>56)</sup> "Membership of the society is not kept secret."<sup>57)</sup>

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54) Ibid., p. 9.

55) Ibid., p. 10.

56) Ibid., p. 3.

57) Ibid., p. 4.



The Commission found that "the society occupies itself almost exclusively with the maintenance of the English language, English culture and traditions, and with charity".<sup>57)</sup> The Commission also made public its conclusion that the society is not guilty of any conduct mentioned in the above-quoted paragraph (d) of its terms of reference.<sup>57)</sup>

The Sons of England society or rather its members were in the past - especially before 1948 - often accused of being guilty of nepotism with regard to appointments and promotions in the public sector.

Members of many other organizations have in like fashion been accused from time to time of nepotism of varying shades of iniquity in the public sector. For example if it is known that a head of a department is English-speaking and a Roman Catholic to boot rumour invariably has it that he favours English-speaking Roman Catholics for appointment and promotion. Mutatis mutandis for senior officials of other denominations. When a Cabinet Minister belongs to a particular club it is rumoured that members of that particular club are at a great advantage for appointment or promotion. Such talk is not confined to South Africa and is usually nothing but idle chatter. By and large it would be wrong to conclude that senior public officials and Ministers have been guilty of nepotism, whether blatant or otherwise, calculated to bestow unwarranted benefits on Afrikaans or English-speaking officials, as the case may be. No doubt in an organisation of the magnitude of the Public Service there were, are and always will be cases of individuals being favoured to an extent which could be regarded as unjustified, but incidents of that nature have always been the exception rather than the rule and language has certainly never had a monopoly on the underlying motives.

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57) Ibid., p. 4.





B. Other cultural bodies of particular interest

It is impossible to deal in this report with all the cultural bodies formed by the two language groups in South Africa. A representative selection of three which are of particular interest will, therefore, have to suffice and will be dealt with separately in the following paragraphs.

Notwithstanding the fact that such a large number of cultural bodies is already in existence in South Africa there appears still to be plenty of room for more. As recently as the 26th November, 1965, a Genootskap vir die Handhawing van Afrikaans (Society for the Preservation of Afrikaans) was founded in Pretoria. The aim of this Society is to see to it that Afrikaans is not neglected or replaced by English in any sphere and in particular in the public sector. It is really remarkable that a Society of this type should be deemed necessary in this day and age when it would appear that Afrikaans is so firmly established that it need no longer fear any challenge from English. However, the establishment of this new Society is probably more a manifestation of the grave concern among many Afrikaners that their language is being threatened by its very strength and the consequent development of an attitude of complacency among the Afrikaans-speaking section of the population which is experiencing unprecedented material prosperity.

Die Federasie van Afrikaanse Kultuurverenigings (The Federation of Afrikaans Cultural Societies)

By 1928 a multitude of organizations had been formed to promote the language and cultural interests of the Afrikaans-speaking section of the White population. It soon became apparent that there was a crying need to ensure concerted action on the part of these various bodies and this led to a conference of interested parties being held in 1929. The gathering decided upon the establishment of the Federasie van Afrikaanse Kultuurverenigings



(F.A.K.). The object of this Federation was to co-ordinate the activities of the various cultural bodies and to promote Afrikaans as a spoken and written language, and to advance Afrikaans in the fields of music, art, culture, stage and theatre etc., and generally to serve as the champion of the Afrikaner and the Afrikaans language in all walks of community life.

Membership of the F.A.K. is open to all Afrikaans cultural organizations, Afrikaans church councils and associated bodies, and other bodies interested in the preservation of the Afrikaner and his cultural heritage.

The F.A.K. is undoubtedly an important pressure group and has done much to ensure that the Afrikaans language is given its due in the public sector and also in the educational field. The F.A.K. has always acted in concert with the Suid-Afrikaanse Akademie vir Wetenskap en Kuns which will now be discussed briefly.

Die Suid-Afrikaanse Akademie vir Wetenskap en Kuns (The South African Academy for Science and Art)

This influential body was formed in 1909. One of its major concerns is to see that Afrikaans is given its due in the school, the church and the public service. Whenever necessary the Academy has made appropriate representations to the Government and Ministers to ensure that Afrikaans is not neglected in the public sector.

An important contribution has been made by the Academy in the compilation and publication of Afrikaans grammatical rules, dictionaries, lists of approved Afrikaans words, lists of technical terms and dictionaries for use in various specialised fields. The Academy's efforts also led to the establishment of a Vaktaalburo (Technical Language Bureau) on the 1st August, 1950. The main function of this Bureau is the compilation of bilingual lists of



technical terms. A considerable number of such lists has already been produced by the Bureau much of the credit for which must go to the Academy which has thereby done much to promote the introduction and use of Afrikaans in professional and technical fields in the public sector.

#### The English Academy of Southern Africa

After preliminary discussions had taken place for some years, the English Academy of Southern Africa was founded in July 1961. The objectives of this body were stated to be the safeguarding of the English cultural heritage, the maintenance and propagation of a higher standard of English in all fields and also the combating of the marked deterioration of standards of written and spoken English. The Academy is sponsored by the South African Council for English Education but is still in its formative stages and has had little opportunity to further its aims. The founding of this body was no doubt so long delayed because English is not really dependent for its preservation and development on the English-speaking population of South Africa which can share freely in the language and cultural achievements and developments of the vast English-speaking world outside our borders. However, the Academy will amply justify its existence if it does no more than to prevent a further deterioration in the standard of English usage in the public sector consequential upon an intake of recruits into the Public Service etc. with so hazy a grasp of English that, were it not for corrections effected by older hands, themselves frequently Afrikaans-speaking but who received their grounding in English in the days when Afrikaans was the poor relative, much official correspondence in English would be of poor quality indeed.

How sad it is that these young people, junior today but seniors tomorrow, contribute not only to a poorer service to the South African public





but also deprive themselves of effective literary contact with the vast fund of information and entertainment that is cultured English. Sadder still is the fact that this weakness in English is not infrequently matched to some considerable extent by clumsiness in the use of their home language of Afrikaans which bodes ill for the future and throws into startling relief long-suspected inadequacies in the teaching of languages in the schools.

The cultural organisations of both language groups could well put their heads together to find a solution to a problem which is nowadays a common heritage.

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CHAPTER V

THE LANGUAGE QUESTION IN THE HOUSE OF ASSEMBLY

The National Convention failed to produce a final solution to the language problem and, as could be expected, the matter from the outset commanded the attention of both individual politicians and Parliament as a whole. In the House of Assembly the language issues were for a long time raised during each and every session of Parliament.

In considering the deliberations of the House of Assembly<sup>1)</sup> it must be remembered that the voters in South Africa have to a large extent always aligned themselves with the various political parties on a language basis. When a party was in power, therefore, it was constantly accused of favouring with appointments and promotions in the public sector the language group to which the majority of its supporters belonged and of discriminating against the other language group in which were to be found the supporters of the Opposition. In view of this state of affairs the matter is best dealt with on the basis of the periods during which the various parties were in power from 1910 to 1965. The following analysis is the result:

31st May, 1910 to 29th June, 1924:

During this period the country was governed by the South African Party under the leadership firstly of General Louis Botha and from the 3rd September, 1919, after the latter's death, by General J.C. Smuts.

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1) It is considered unnecessary to deal with the Senate as well since as far as party politics are concerned, the Upper house divides along lines exactly the same as the House of Assembly.





The election results during this period were as follows:

Date of election	1910	20.10.1915	10.3.1920	8.2.1921
Total No. of seats	121	130	134	134
No. of seats won by:				
South African Party	67	54	41	77
Unionist Party	37	40	25	-
National Party	-	27	43	44
Labour Party	4	3	21	10
Independent	13	6	3	1
Vacant seats	-	-	1	2

The South African Party came into being in 1911 as a result of the unification of the "Het Volk" party of Transvaal - led by General Louis Botha, the "Orangia Unie" party of the Orange Free State - led by General J.B.M. Hertzog, and the "Afrikaner Bond" party of the Cape - led by John X. Merriman. These three parties had already joined forces for the 1910 election and as allies and subsequently the South African Party they were strongly in favour of the unification of the colonies "on the broad basis of English and Afrikaans sharing alike as expressed in Section 137 of the Constitution which provided for the equality of the two languages".<sup>2)</sup>

The South African Party initially enjoyed the support of many Afrikaans-speaking as well as a considerable number of English-speaking voters. The Cabinets during the period 1910 to 1924 consisted, therefore, of both English and Afrikaans-speaking members. The South African Party could also count on a measure of support from the Unionist Party made up largely of the English-

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2) Krüger, D.W.: South African Parties and Policies 1910 - 1960 - A Select Source Book (Cape Town: Human & Rousseau, 1960), p. X.



speaking sector of the population. It was, in fact, the growing support of the Unionist Party which enabled the South African Party to remain in power from the 1915 election and until 1921 when the Unionist Party lost its identity in a merger between the two parties.

The South African Party in effect found its opposition in the National Party which was formed in January 1914 by General J.B.M. Hertzog following differences with General Botha. The National Party became the political home of the Afrikaners while the South African Party was accepted more and more by the English-speaking voters.

As might be expected having regard to the aforementioned political alignments, the Cabinets of the South African Party up to 1924 adopted a rather tolerant attitude on language matters. It was in no way committed to bringing about a change in the existing position under which the Public Service was characterised by English-speaking officials preponderating in numbers as well as in influence. The higher-graded posts were filled to an almost exclusive degree by English-speaking incumbents many of whom had joined the Public Service prior to 1912.

It was really only after the break between Generals Botha and Hertzog that language matters were raised in the deliberations of the House of Assembly usually in the form of questions to ministers by the followers of General Hertzog. These questions related to the employment of unilingual English-speaking officials in predominantly Dutch-speaking areas - usually rural districts,<sup>3)</sup> the use in public offices of documents printed in English only,<sup>4)</sup>

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3) Union of South Africa: House of Assembly Debates 1913 (Cape Town: Cape Times Ltd., 1913), Col. 2430.

The further footnotes in this Chapter refer to the various volumes of Debates of the House of Assembly.

4) Ibid., for 1914, Col. 1654.



and the inability of public officials to reply to enquiries etc. put to them in Dutch.<sup>5)</sup>

This approach to the language question set a pattern which persisted until the South African Party was rejected by the voters in 1924. It must not be forgotten, however, that this period was overshadowed by World War I which brought in its train more urgent matters to engage the attention of the House of Assembly.

30th June, 1924 to 29th March, 1933:

The elections of 1924 and 1929 produced the following results:

Date of election	17.6.1924	17.6.1929
Total No. of seats	135	148
No. of seats won by:		
South African Party	54	61
National Party	63	77
Labour Party	17	8
Independent	1	1
Vacant seats	-	1

After the election of 1924, the National Party formed a coalition with the Labour Party and General Hertzog became Prime Minister. This arrangement lasted until the election held on 17th May, 1933.

During this period the Afrikaans-speaking members were in the majority in the Cabinet which still had, however, a few English-speaking members. The National Party could not, therefore, progress as rapidly as it would have liked to promote bilingualism in the Public Service but some, at least, of the ministers did do their utmost to see that only bilingual officials were promoted -

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5) Ibid.





especially to the higher-graded posts.

Shortly before the 1924 election, however, Parliament had passed the Public Service and Pensions Act, No. 27 of 1923, Section 15 of which provided that only bilingual public servants would be promoted after the elapse of a period of five years reckoned from the date of commencement of the Act (1st August, 1923). Needless to say, this provision was regarded with dismay by the large numbers of unilingual English-speaking officials who, as has been explained above, were found in posts of the lowest and highest grading alike. The net result was that the South African Party, which was now in Opposition and which drew its support mainly from the English-speaking voters, became the champion of the unilingual English-speaking public servants.

After World War I an increasing number of Afrikaans-speaking recruits joined the Public Service. These new entrants usually possessed a satisfactory command of English and, after serving for a period under the English-speaking superiors were, as a rule, fully bilingual. The new Government could, therefore, further the interests of its supporters merely by insisting upon full bilingualism when Public Service posts had to be filled by appointment or promotion. The new Minister of the Interior, who was then, as now, responsible for the Public Service as a whole, was thus in a position to implement his openly declared policy of bilingualism by the simple expedient of insisting upon the strict application of the provisions of the quoted Section 15 of the Public Service and Pensions Act, of 1923. The attitude taken by the Minister was that the provisions in question were, in fact, extremely generous because the unilingual officials (who were English-speaking almost to the man and almost certainly supporters of the Opposition) were given five years grace in which to acquire the necessary knowledge of the second



language to become bilingual.<sup>6)</sup>

The Opposition had after 1924 every reason to show concern for the unilingual English-speaking officials who had ever since 1912 failed so dismally and demonstrably to master the Dutch (or Afrikaans) language. From 1925 onwards members of the Opposition expressed this concern for the unilingual public servants by repeated questions to ministers on the promotion prospects of such officials.<sup>7)</sup>

The question of the unilingual officials assumed particular importance during the depression years, when it became necessary to retrench certain public servants. Quite naturally the responsible ministers and other authorities tended to axe unilingual rather than bilingual officials. Members of the Opposition did their utmost to protect these unfortunates, but met with little success in this direction. The minister could with complete justification argue that the officials lacked a prescribed qualification and could, moreover, be stamped as inefficient because of their failure to master the Afrikaans language.<sup>8)</sup>

It was claimed throughout that language was the factor which motivated the politicians who hurried to the defence of the unilingual officials. Only occasionally was it admitted in open debate by the politicians that the real issue was the protection of the interests of the supporters of their particular party.<sup>9)</sup>

The period 1924 to 1933 was, therefore, to a marked degree plagued by questions to ministers and resultant debates on the virtues and vices of uni-

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6) Vol. 3 (1925), Col. 431. Volume numbers were introduced from 1924.

7) Vol. 3 (1925), Col. 1083; and Vol. 3 (1927), Col. 1927.

8) Vol. 14 (1930), Cols. 1574, 1746, 1801, 1836, and 2791.

9) Vol. 14 (1930), Col. 1836.





lingual public servants.

30th March, 1933 to 3rd June, 1948:

The depression brought political difficulties in South Africa of a kind which led Generals Hertzog and Smuts to shelve their differences and work together. After having agreed on a basis of co-operation the two Generals decided to hold an election on the 17th May, 1933, which resulted in the following division of seats:

National Party	75
South African Party	61
Labour Party	4
Dominion Party	2
Home Rule Party	2
Independent	6

After some months of coalition government the two Generals merged their parties with effect from the 5th December, 1934<sup>10)</sup> to create the United Party. With this new party alignment the following results were obtained at the next general election held on the 18th May, 1938:

National Party	27
United Party	111
Labour Party	3
Dominion Party	8
Socialist Party	1

The outbreak of hostilities in Europe in September 1939 led to the partial break-up of the United Party in South Africa. Hertzog, the Prime Minister, and a number of his followers within the United Party, together with the (Purified) National Party, favoured keeping South Africa neutral but Smuts,

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10) Dr. D.F. Malan refused to follow his leader General Hertzog into the United Party and himself became the leader of the (Purified) National Party with a small number of members in the House of Assembly.



at the time Deputy Premier, called for a declaration of war against the Axis powers on the side of Great Britain and the Commonwealth. Put to the vote in the House of Assembly the pro-war faction under Smuts won the day, Hertzog resigned and with him the Cabinet. The Governor-General refused to dissolve Parliament, and called on Smuts to form a government - which he was able to do since his supporters in the now depleted United Party together with certain others in the House still constituted the majority. Hertzog joined Malan in Opposition and eventually formed the Afrikaner Party. The Union duly declared war on the 5th September, 1939. All this, however, did not affect the basic party political situation at the time - the United Party remained in power and the (Purified) National Party remained the effective Opposition. The wartime election held on 7th July, 1943, produced the following results:

National Party	43
United Party	89
Labour Party	9
Dominion Party	7
Independent	2

From 30th March, 1933, the country was, therefore, once again governed by a Cabinet consisting of English as well as Afrikaans-speaking members. This fact was to the decided advantage of the unilingual English-speaking public servants even though most of the members of the Cabinet were Afrikaans-speaking. The United Party drew its support from the English as well as the Afrikaans-speaking sections of the population. As it has been outlined, however, after 5th December, 1934, the National Party under the leadership of Dr. Malan became the small but militant Opposition, the champion of the Afrikaans-speaking section of the population and of bilingualism in the public sector.



From 1934 onwards the ministers were subject to constant and vigorous attack in the House of Assembly at the hands of members of the National Party - the promotion of unilingual officials being the most serious bone of contention. The policy decided upon by the new Government was that a unilingual official could be appointed or promoted:

- (a) where he was to serve in a purely supervisory capacity where he would not come into contact with the public and where a bilingual and equally well-qualified person was not available;
- (b) where the section of the public to be served was mainly unilingual in the same language as the person appointed or promoted; and
- (c) where a bilingual candidate was not available.<sup>11)</sup>

The Opposition took particular exception to (a) and (b) above and flatly refused to accept the position. The Minister of the Interior, however, defended the policy which he himself had laid down after consultation with the Prime Minister and the Chairman of the Public Service Commission who, incidentally, had earlier been promoted by the Hertzog Cabinet to the post of Secretary for the Interior against the recommendation of the Commission on the 6th December, 1924, and then appointed Chairman of the Commission on the 2nd August, 1926. The Minister of the Interior also pointed out, quite correctly, that the policy objected to was the policy of the Government and not of the Public Service Commission. The Commission could still maintain an independent approach and make its recommendations to the ministers on the basis of the statutory provisions but, if necessary, the ministers could request the Cabinet to exercise its right to reject the recommendations if they

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11) Vol. 22 (1934), Col. 1302.





were in conflict with the Government's policy.<sup>12)</sup>

In the years following 1934 Opposition members repeatedly questioned ministers (and in particular the Minister of the Interior) on the promotion of public servants whom they regarded as unilingual.<sup>13)</sup> The stock reply of the ministers to these questions was either that there were no equally experienced or qualified officials available for promotion or that the officials promoted "complied with the language requirements".<sup>14)</sup> Ministers also without fail professed their belief in the policy of bilingualism as laid down in the South Africa Act, 1909, and maintained that they would do their utmost to achieve full bilingualism, but that they were encountering many practical difficulties.<sup>15)</sup> That the ministers could succeed in their claims that, in their opinion, the officials complained of "complied with the language requirements" was in no small measure due to the fact that no formal or standardised tests were available to gauge the language proficiency of officials selected for promotion.

The Minister of Railways and Harbours (nowadays designated Minister of Transport) was also questioned closely at every session of Parliament by the Opposition about the promotion and appointment of unilingual railway employees.<sup>16)</sup> The interesting part about it all was that the questions put to the Minister of Railways (or Transport) and the criticism levelled were by no means confined to senior officials, but went all the way down to even

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12) Vol. 22 (1934), Cols. 785, 1028 - 1031.

13) Vol. 26 (1936), Cols. 776 - 777; Vol. 30 (1937), Cols. 5836 - 5840; Vol. 31 (1938), Cols. 263, 1385, 1386; Vol. 47 (1944), Cols. 743, 1017, 2140, 2141; Vol. 51 (1945), Col. 301.

14) Vol. 26 (1936), Cols. 777 - 778.

15) Vol. 43 (1943), Col. 2156.

16) Vol. 28 (1937), Cols. 1019, 1370, 2013, 2584; Vol. 29 (1937), Cols. 4101, 4528; Vol. 31 (1938), Cols. 411, 472 - 475, 1372; Vol. 33 (1939), Col. 2313; Vol. 43 (1943), Col. 1993; Vol. 47 (1944), Col. 1046; Vol. 51 (1945), Col. 1920; Vol. 62 (1948), Col. 1263.



such minor employees as shunters, catering and bedding staff.

Occasionally even members of the Governing party took a hand in these language debates. Their complaint on these rare occasions was naturally enough that the language requirements imposed were, on the contrary, too strict and that bilingualism was being imposed on unilingual public servants or railway employees in a brutal manner.<sup>17)</sup>

In the attacks by the Opposition on the Government every conceivable aspect of the language question was raised during the period 1934 to 1948. For example, the Minister of Posts and Telegraphs was asked whether he was aware that the Afrikaans programmes of the South African Broadcasting Corporation were regarded as of little value to the Afrikaans-speaking listeners in certain areas.<sup>18)</sup> The Minister of Justice was questioned and attacked on the appointment of unilingual Judges and other court officials.<sup>19)</sup> Even the internal language usages or practices of the departments of State and the railways were questioned.<sup>20)</sup> Members of the Opposition also complained about unilingual English notices inside and outside public offices.<sup>21)</sup>

A particularly interesting development during this period was the increasing incidence of requests to ministers by members of the Opposition for the appointment of bilingual members to the various statutory boards, commissions and committees where the ministers had the power to make such

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17) Vol. 32 (1938), Col. 283; Vol. 37 (1940), Col. 1833.

18) Vol. 32 (1938), Col. 1693.

19) Vol. 32 (1938), Cols. 1950 - 1952.

20) Vol. 31 (1938), Col. 1379; Vol. 32 (1938), Col. 2888; Vol. 35 (1939), Cols. 5397, 5899; Vol. 37 (1940), Col. 1670; Vol. 56 (1946), Col. 4103.

21) Vol. 60 (1947), Col. 2800.





appointments, e.g. the Road Transportation Board, Board of Trade and Industries, National Apprenticeship Board, and the Board of Governors of the South African Broadcasting Corporation.<sup>22)</sup>

The Prime Minister was asked whether he would give an assurance that he would recommend that the next Governor-General should be bilingual.<sup>23)</sup>

A member of the Opposition moved in 1945<sup>24)</sup> that "bilingualism should be honourably and effectively maintained in practice" and, therefore, that the Prime Minister be requested:

- "(a) forthwith to reconstitute his Cabinet accordingly by appointing members who are thoroughly familiar with both official languages; and
- (b) in future appointments of administrators (of the provinces), judges, members and personnel of boards, commissions and other bodies to which the Government makes appointments strictly to give effect to the requirement of bilingualism."

A lengthy debate followed on this motion before it was dropped. Of interest in this motion is the reference to the Cabinet because it had up to then and has since never been laid down in South Africa that an elected office-bearer should be bilingual.

From the foregoing it is clear that the language question was a matter of great concern to the National Party throughout its period in Opposition and there is no doubt that its attacks on the Government were well justified. The vast majority of posts in the Public Service were still filled by English-

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22) Vol. 31 (1938), Col. 1380; Vol. 48 (1944), Col. 2591; Vol. 51 (1945), Col. 390; Vol. 61 (1947), Col. 6355.

23) Vol. 47 (1944), Col. 1493.

24) Vol. 51 (1945), Col. 4243. This motion was put by Mr. C.R. Swart now State President of the Republic of South Africa.



speaking persons who often had only the sketchiest knowledge of the Afrikaans language. In reply to a question by Opposition members the Minister of the Interior made the admission on the 11th March, 1938 that of the White members of the Public Service earning £600 per annum or more, 708 were Afrikaans-speaking and 1,346 English-speaking and that of the 1,346 only 971 were bilingual while of the 708 only two were unilingual. From 1933 to 1937 692 unilingual officials in all the departments of State had been promoted and from the 1st January, 1936, to the 31st January, 1938, 102 English-speaking unilingual officials had been promoted.<sup>25)</sup> On the 30th August, 1938 the Minister of the Interior, in reply to an Opposition question, elaborated on his earlier statements and disclosed that since 1933 the following White public servants had been promoted:<sup>26)</sup>

<u>Year</u>	<u>English-speaking</u>	<u>Afrikaans-speaking</u>
1933	114	43
1934	99	57
1935	114	46
1936	128	30
1937	177	98

These figures must be seen against a background formed by the fact that in 1938 about 60 per cent of the white population of South Africa was Afrikaans-speaking whereas only about 40 per cent of the same population was English-speaking. The statistics also reveal that the bilingual requirements were in those days often waived or ignored.

#### 4th June, 1948 to 1965:

The (Purified) National Party under the leadership of Dr. D.F. Malan joined forces with the Afrikaner Party led by Mr. N.C. (Klasie) Havenga for

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25) Vol. 31 (1938), Col. 1597.

26) Vol. 32 (1938), Col. 1843.



the election held on 26th May, 1948. The results of this and subsequent elections were as follows:

Date of election	26.5.1948	15.4.1953	16.4.1958	18.10.1961
Total No. of seats	150	156	156	156
No. of seats won by:				
National Party	70	94	103	105
United Party	65	57	53	49
Labour Party	6	5	-	-
Afrikaner Party	9	-	-	-
National Union	-	-	-	1
Progressive Party	-	-	-	1

The National Party has ever since coming to power on the 4th June, 1948, been in a position to enforce its clearly-stated policy of applying strictly the language provisions of the legislation passed by Parliament since 1910.

The Government was, however, in 1948 faced by a Public Service Commission whose members had been appointed by the previous Cabinet. This Commission could, and in fact did, still apply its own criteria concerning bilingualism when making recommendations for the appointment or promotions to Public Service posts and the Commission's opinions in this regard could, and again, did frequently differ from the views held by members of the new Cabinet. As might have been expected a number of the Commission's recommendations was rejected by the Cabinet immediately after the National Party assumed power.

The rejection of the recommendations of the Public Service Commission formed the subject-matter of heated debates in the House of Assembly from 1948 to 1951. The Government was accused of introducing party politics into the Public Service by rejecting the Commission's recommendations and then appointing or promoting supporters of the National Party under the pretext that the Commission's candidates were unilingual and that the Government's





appointees, on the other hand were bilingual.<sup>27)</sup> The Opposition also pleaded with the Government not to press bilingualism too fast in the Public Service and in the Railway Administration.<sup>28)</sup> Government members, by way of contrast, urged the Cabinet to be much stricter in applying the bilingual requirements laid down by law. They even went so far as to assert that the Commission was an antiquated body and should be re-organised to ensure that it would give effect to the language laws of the country and see to it that there would henceforth be no more discrimination against Afrikaans-speaking officials.<sup>29)</sup>

In regard to the accusation by the Opposition that the Government was introducing party politics into the Public Service under the pretext of bilingualism, it should be noted that public servants in South Africa have always been prohibited from taking an active part in party politics. The Public Service and Pensions Act, No. 27 of 1923, for example, provided (Section 20) that an officer in the Public Service shall be deemed guilty of misconduct if he "becomes a member of any political organization or takes an active part in political matters". This stipulation has by-and-large been observed strictly by the officials as well as the various Cabinets in power since 1910. Indeed, the official Staff Associations, through the Public Service Joint Advisory Council (which has a statutory function to advise the Public Service Commission on personnel matters) in 1962 went so far as to reject an offer by the Minister of the Interior to allow officers to participate actively in politics. It is, of course, true that when the highest posts in the public sector are filled the ministers not infrequently enquire informally about the political leanings

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27) Vol. 72 (1950), Col. 5346.

28) Vol. 74 (1951), Cols. 1876 and 2342; Vol. 77 (1952), Col. 2507.

29) Vol. 67 (1949), Cols. 3003 - 4; Vol. 72 (1950), Cols. 5350 - 5352; Vol. 76 (1951), Cols. 7720, 9524.



of available candidates and that they take the party interests into account when approving such senior appointments and promotions. In general, however, members of the various Cabinets have not been guilty of making appointments and promotions with a view mainly to furthering the interests of their political parties.

During the debate on the enforcement of bilingualism in 1950, one of the Government members defended the actions of the ministers by alleging that the previous Government had applied the standard of "a working knowledge" in the second language whilst the new Government was insisting upon bilingualism. The member claimed that there is "no such thing" as "a working knowledge" because a person "is either bilingual or he is not bilingual".<sup>30)</sup> This statement is of particular interest because the theory with which it is at odds is often encountered when the question of bilingualism is under consideration.

Some linguists maintain that the best solution to the problem lies in insisting upon proficiency in one language but only "a working knowledge" in the second language. By "a working knowledge" they have in mind the ability to understand the spoken word and the ability to read the language but not necessarily the ability to speak or write it. This school of thought finds justification for its approach in the following authoritative finding by Otto Jespersen, a recognised authority on these matters:

"It is, of course, an advantage for a child to be familiar with two languages: but without doubt the advantage may be, and generally is, purchased too dearly. First of all the child in question hardly learns either of the two languages as perfectly as he would have done if he had limited himself to one. It may seem, on the surface, as if he talked just like a native, but he does not really command the fine points of the language. Has any bilingual child ever developed into a great artist in speech, a poet or orator?

Secondly

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30) Vol. 72 (1950), Cols. 5350 - 5352.





Secondly, the brain effort required to master two languages instead of one certainly diminishes the child's power of learning other things which might and ought to be learnt. Schuchardt rightly remarks that if a bilingual man has two strings to his bow, both are rather slack, and that the three souls which the ancient Roman said he possessed, owing to his being able to talk three different languages, were probably very indifferent souls after all.<sup>31)</sup>

The Afrikaans-speaking followers of this school of thought see a danger in bilingualism because it carries with it a tendency in the case of the Afrikaans-speaking individual, who is usually bilingual, to use English whenever he is confronted by a situation where the party he deals with experiences difficulty with Afrikaans. In effect then Afrikaans is not given its due.

During 1951 the Government availed itself of the opportunity of appointing to the Public Service Commission members of its own choosing, and critics on the Government benches of the previous Commission's language policies were pleased to note a swing toward strict bilingualism and duly lapsed into silence on the subject. It now fell to the Opposition to ferret out other aspects of the vexed question on which they could mount an attack on ministers who, for their part, at all times vehemently denied being guilty of discrimination against English-speaking officials: They were, they maintained, simply applying the law as it had stood for many years.

In 1951, for instance, it came to light that at the last examinations held to select candidates for appointment to the various clerical grades in the Public Service, candidates had done very badly in so far as the languages were concerned. In 1950 there were 918 appointments and of this number 569 had scored less than 40 per cent in English while 112 had scored less than 40 per cent in Afrikaans. It was advanced by members of the Opposition that

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31) Jespersen, Otto: Language - Its Nature, Development and Origin (London: George Allen & Unwin, Ltd., Reprinted January 1934), p. 148.



the candidates were coming from the Afrikaans-speaking rural areas and that they were less than educated in English.<sup>32)</sup> The members of the ruling Party retaliated by claiming that the examination results were useless and that they were creating a false impression that the Afrikaans-speaking recruits were less bilingual than the English-speaking recruits.<sup>33)</sup> The argument had, however, perforce to be abandoned before it could be settled because the examinations were abolished in 1951 - see also p.139 infra.

During 1954 formal tests were introduced to gauge the language proficiency of public servants - see Chapter VIII infra. Members of the Opposition immediately attacked the tests which, they claimed, were causing serious dissatisfaction in the Public Service especially among the professional and technical personnel. The tests were alleged to be too severe.<sup>34)</sup> It was also advanced that the officials tested had already passed in both languages at the prescribed entrance examinations and it was unnecessary, therefore, to subject them to these further tests.<sup>35)</sup> The Government defended the tests, however, and insisted that they were necessary. By 1956 the Opposition had apparently accepted the language tests and the matter has since then received scant parliamentary attention.

The bilingualism of Railway employees was also the subject of much discussion in the House of Assembly from 1948 to 1964. Opposition members generally complained that the tests carried out to determine the language proficiency of the Railway employees were too severe especially in so far as the older officials were concerned.<sup>36)</sup> The Minister of Transport was wont to reply to

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32) Vol. 76 (1951), Col. 9380.

33) Vol. 72 (1950), Cols. 5350 - 5352.

34) Vol. 85 (1954), Col. 4887; Vol. 90 (1956), Col. 1895.

35) Vol. 88 (1955), Col. 5290.

36) Vol. 87 (1955), Cols. 2153, 2166, 2320, 2333, 2545, 2550, 2581, 2862; Vol. 90 (1956), Col. 1895.



these complaints to the effect that he was only applying the statutory provisions to the best of his ability.

During this period the ministers were sometimes also questioned about the home language of various officials. To this type of question the ministers always replied correctly that the recruits were never required to state their home language in application forms when applying for appointments and that the names of officials constituted absolutely no criterion whatsoever as to whether they were Afrikaans or English-speaking.<sup>37)</sup>

There can be no shadow of doubt that the National Party Government has since 1948 done far more than any previous Government to ensure that bilingualism is put into practice in the public sector. In addition to the administrative steps taken in this regard and referred to above, the passing by Parliament in 1955 of an amendment to the South Africa Act, 1909, whereby provincial and local government bodies were compelled to use both official languages on appropriate occasions in all their various activities may also be cited as a positive step in the long road to bilingualism - see supra p. 35 and p. 36.

#### General

From the foregoing it should be abundantly clear that the language question in South Africa is and always has been very much a party political matter. It is also clear that the present Government has attained its objectives as far as the language question is concerned and that it is now even prepared to make concessions. Justification for this statement is found in the fact that Prime Minister, Dr. H.F. Verwoerd, appointed two English-speaking members to his Cabinet on the 1st November, 1961 - the first such





appointments to be made since the National Party came to power in 1948.

It is nevertheless probably being too optimistic to believe that the language question will not be raised again at some future date - if for no other reason that persons and pressure groups campaigning for or against one or the other of the two languages will forever be dissatisfied on a score or more counts, come what may.

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CHAPTER VI

THE LANGUAGE PRACTICES OF THE VARIOUS  
GOVERNMENTAL INSTITUTIONS

To ascertain the language practices of the various governmental institutions an appropriate questionnaire was prepared for completion by a particular qualified and responsible official of each such institution. This Chapter is based largely on the information furnished in the form of replies to the questionnaire.

In replying to the questionnaire, the responsible officials had sometimes to resort to estimation, but, having regard to the status of the officials replying their estimates may confidently be accepted as valid for the present purposes.

1. THE CENTRAL DEPARTMENTS OF STATE

(i) Communications with the Public

On the basis of the questionnaires returned by the various departments of state, it would seem that in whatever form departmental policies are expressed, i.e. specified in formal manuals or acknowledged as informal practices, certain standard rules prevail throughout in respect of communications with the public.

These are as follows:

- (a) All oral and written communications are required to be conducted in the official language in which the relative communications originate;
- (b) communications originating officially are required to be conducted in the official language presumed to be the home language of the addressee or respondent; and
- (c) all departmental forms and certificates for external use as well as public notices such as forms, posters, directions, signs, etc., are required to be available in both official languages.



Table A reflects the language distribution of departmental correspondence with the public. The general pattern coincides roughly with the ratio of White citizens with Afrikaans as home language to those with English as their mother tongue. The most noteworthy deviations from this pattern are the Departments of Customs and Excise and of Immigration - both having extensive dealings with foreigners. The same explanation holds good for the Department of Information. In like fashion the Department of Inland Revenue deviates from the majority and possibly reflects the special interests and pre-occupations of the English-speaking section of the population.

At this stage it is appropriate to quote the following figures concerning the composition of the White population in terms of home language as ascertained in 1960:

	<u>Cape</u>	<u>Natal</u>	<u>Transvaal</u>	<u>Orange Free State</u>
Afrikaans and English	14,628	4,862	22,529	2,847
English	386,908	241,458	485,349	37,023
Afrikaans	581,591	79,504	897,622	232,271
Dutch	5,768	2,199	13,294	1,293
German	6,533	6,853	17,521	1,747
Other	7,779	5,359	31,990	1,564

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TABLE A

CORRESPONDENCE WITH THE PUBLIC

Department of -	Percentage of letters received in:		
	Afrikaans	English	Other languages
Agricultural Credit and Land Tenure*	70	30	0
Agricultural Economics and Marketing	68	32	0
Agricultural Technical Services	70	29	1
Bantu Administration and Development	55	45	0
Bantu Education	70	30	0
Coloured Affairs	85	15	0
Customs and Excise	5	95	0
Education, Arts and Science	80	19	1
Information	42	54	4
Inland Revenue	40	60	0
Justice	70	30	0
Labour	60	40	0
Planning	55	45	0
Posts and Telegraphs	61	39	0
Public Service Commission	75	25	0
Social Welfare and Pensions	60	40	0
Immigration	25	70	5
Public Works	50	50	0
Prisons	60	39	1
Defence	60	40	0
Foreign Affairs	51	48.5	.5

\*The questionnaire was completed in this case by the Department of Lands which department assumes this new title as from the 1st February, 1966, whilst retaining substantially the same functions as before.

(ii) Internal communications

The policies of the various government departments seem to diverge considerably in respect of their internal language practices - mainly at the level of activities initiated within departments. This category of activity includes intra- and inter-departmental discussions and correspondence, the preparation and issuing of circulars, manuals, memoranda and publications,



as well as the keeping of records.

It seems that a major distinction can be drawn between departments in which language practices are based on informal usage and those having detailed formal policy directives. In the case of the former, internal work is usually conducted in the language-medium of the officials concerned or the majority thereof (usually Afrikaans). Incoming correspondence from branch offices or other departments is answered in the language initially used and the personnel generally enjoy complete freedom as to the language medium of internal correspondence which they themselves initiate as well as all other domestic documentation.

In the case of departments with formal policy directives on language practices, the two official languages are used according to various systems of rotation. These systems range from alternating the languages (i.e. one month English and the next Afrikaans) to alternate use on an item-basis, i.e. the alternate use of each of the official languages in the preparation and issuing of particular categories of circulars, reports, memoranda, etc. Details of these procedures are explained briefly in the following paragraphs.

(a) Department of Foreign Affairs

In this department the two official languages have been used alternately on a monthly basis as follows ever since 1936:

- (i) Letters received from the public are answered in the language in which they were written.
- (ii) Correspondence with the local diplomatic corps is conducted in English except in the case of the Belgian, Netherlands and German representatives. Correspondence with the Belgian and Netherlands representatives is conducted in Afrikaans, and in the case of Germany either of the two official languages is used.



- (iii) Correspondence with the South African Embassy in London in connection with routine administrative matters is conducted mainly in English in view of the fact that the large locally-recruited staff is not proficient in Afrikaans.
- (iv) Correspondence addressed to foreign service officers of the department stationed abroad is conducted in the language of the month, unless it deals with an important or complicated issue destined to be submitted to the government authorities of the host country. In such cases English is used to avoid any misunderstandings which might arise in the process of translation. This exception, however, does not apply to correspondence with South African representatives in Belgium or the Netherlands.
- (v) Correspondence with the Treasury dealing with fiscal matters is conducted in the language prescribed by the Treasury for the relevant financial year.

(b) Department of Posts and Telegraphs

In order to promote language proficiency in this department, it was decided in 1950 to use the official languages alternately on a monthly basis in all internal and inter-departmental correspondence. This rule applies to correspondence between Post Office officials and other departments as well as between the head office and branch offices. Members of the public, however, are replied to and/or served in the official language in which they themselves address the officials.

This policy caused some difficulties initially since officials not proficient in the second language and who had previously been permitted to use the language in which they were most at home irrespective of the language in which they had been addressed, made heavy weather in the strange surroundings of the second language they were henceforth obliged to use. In the long run,





however, it was all to the good and many officials improved their proficiency in their second language as a result.

(c) Public Service Commission

In the Public Service Commission it is likewise the policy to issue circulars and circular minutes alternately in English and Afrikaans. The officer in charge of the Central Registry is responsible for the allocation of reference numbers to all circulars and circular minutes emanating from the Commission and at the same time he determines, in accordance with his records, the language in which each document must be drafted and issued. In practice, therefore, the officer in charge of the Registry is always consulted before the drafting of a circular is commenced in order to ensure compliance with the stated policy of alternate use of languages. By so doing subsequent translations before publication are avoided. Circulars of particular importance and which are likely to serve as reference works for some time in all corners of the country (e.g. those relating to general revisions of salaries) are, however, frequently published bilingually. A potential weakness in the system - i.e. that personnel, particularly the juniors, tend to wait for the turn of the next Afrikaans circular to facilitate matters for themselves despite the delay, is countered by strict supervision.

(d) Department of Defence

Official correspondence within the department or with other departments or outside bodies, is conducted in one official language during one month and in the other during the succeeding month. The language used in connection with the annual report is alternated year by year. All correspondence concerning religious matters is conducted with the various chaplains or representatives of the churches in the language medium of the church in question.

Correspondence addressed to single-medium units of the Citizen Force must at all times be in the language medium prescribed for those units.



Correspondence addressed to dual-medium units, however, must be in the language medium used by the Department during the particular month.

(e) The Department of Justice and the Department of Bantu Administration and Development

The regulations of these two departments in respect of internal language usage is essentially the same. The language codes of both departments stipulate that Cash Books and other accounting records must be kept in alternate months in English and Afrikaans. The principle of using official languages alternately on a item-basis applies to items such as returns, memoranda, reports, submissions, circulars and general service letters. All rubber stamps have to be designed so as to make bilingual impressions, unless the number of words or nature of the stamp renders this impracticable. In such cases, separate stamps are made available in each official language and used with due regard to the language of the relevant document. In addition, the subject matter on all file covers is required to be indicated in both official languages. It is a moot point whether requirements such as the last-mentioned, serve any purpose whatsoever in any department other than to avoid possible political controversy.

(f) Other departments

The practice of using the two official languages alternately in the preparation of departmental circulars and minutes is also prescribed policy in the Departments of Bantu Education and of Coloured Affairs.

(iii) Publications, manuals, circulars and registry indexes

The general picture outlined above with regard to the issuing of circulars, manuals and publications as well as the languages in which registry card indexes are kept, is reflected statistically in Tables B and C, respectively.



TABLE B

PUBLICATIONS, MANUALS AND CIRCULARS

Department of -	Percentage available in		
	Both languages	English only	Afrikaans only
Agricultural Economics and Marketing	90	2	8
Agricultural Technical Services		50	50
Bantu Administration and Development		50	50
Bantu Education		50	50
Coloured Affairs	6	7	87
Customs and Excise	33.33	33.33	33.33
Education, Arts and Science		50	50
Information		50	50
Inland Revenue	70	20	10
Justice		50	50
Labour		10	90
Lands*		10	90
Planning	50	20	30
Posts and Telegraphs		50	50
Public Service Commission	10	45	45
Social Welfare and Pensions	20	5	75
Immigration		50	50
Public Works		50	50
Prisons	60	10	30
Defence		50	50
Foreign Affairs		50	50

\*See footnote to Table A.





TABLE C

REGISTRY CARD INDEXES

Department of -	Afrikaans only	English only	Both languages
Agricultural Economics and Marketing			x
Agricultural Technical Services			x
Bantu Administration and Development			x
Bantu Education	x		
Coloured Affairs	x		
Customs and Excise		x	
Education, Arts and Science			x
Information			x
Inland Revenue		x	
Justice		x	
Labour	x		
Lands*	x		
Planning	x		
Posts and Telegraphs			x
Public Service Commission			x
Social Welfare and Pensions			x
Immigration	x		
Public Works		x	
Prisons	x		
Defence		x	
Foreign Affairs			x

\*See footnote to Table A.

(iv) Judicial Activities

The two departments primarily involved in judicial activities are the Departments of Justice and of Bantu Administration and Development. In the conduct of these activities, courts of law are guided firstly by constitutional provisions. The Republic of South Africa Act, No. 32 of 1961, which repealed in all major aspects the South Africa Act of 1909, provides that both official languages shall be treated on a footing of equality, and possess and enjoy equal freedom, rights and privileges (Section 108(1)). These provisions bestow on each and every member of the public the right to use either of the



official languages in any litigation or trial in any court of law.

Language usage in judicial proceedings is further governed by the provisions of the Magistrates Court Act, No. 32 of 1944 which stipulates, inter alia, that witnesses are in no way to be persuaded or influenced to testify in an official language not chosen by themselves and the presiding judicial officer is required to prohibit questions being put in one official language and being answered in the other. Legal practitioners are, pursuant to Section 6(1), entitled to use either official language at any stage of the court proceedings and if that language is not the one chosen by the witness, an interpreter must be provided. Under no circumstances is a member of the public, a party to litigation or an accused person to be occasioned any monetary loss or be exposed to any other disadvantage as a result of his using any particular official language or any document or testimony in either of the two official languages. Section 6(1) further stipulates that testimony given in the course of court proceedings, whether criminal or civil, must be recorded in the official language used.

Court officials responsible for drawing up indictments, charge sheets, summonses, subpoenas, etc., are instructed to ensure that the official language used is the home language of, or the one preferred by the person to whom they bear reference. In the event of there being any doubt as to the language to be used, and in order to determine the choice of language, the person responsible for drafting these documents is required to consult the investigating officer having close contact with the accused and the witnesses. In the absence of any other criterion, the surname of the person in question must serve as the determinant of the language medium to be used. The Clerk of the Court, by virtue of his signature on such documents, is held personally responsible for the observance of these instructions, whether the documents be compiled by officials of the State, local authorities, or other bodies.



Failure to comply with these instructions may be regarded as "misbehaviour", as defined in Section 20(1)(a) of the Act.

Although outside the scope of this Report, it is of more than passing interest to note that Bantu, Indian and foreign litigants, accused, and witnesses at all times have access to court interpreters conversant in their particular language or dialect so as to ensure scrupulous fairness towards those not proficient in and those choosing not to use English or Afrikaans.

(v) Translation activities

Efforts to establish a central translation bureau as a means of securing a uniform standard in the translation of the official languages in the Public Service, date back to November 1913. Certain officials who were at that time employed on translation duties in various departments submitted a petition to the Prime Minister urging the establishment of such an office. The whole question was investigated by the Public Service Commission, but, in its report of April 1914, the Commission advised the Government against the centralization of translation work on the ground that the technical nature of most of the matter to be translated demanded specialised knowledge and long experience which could be obtained more conveniently and efficiently under departmental control.

In 1920 the Parliamentary Select Committee on Public Accounts revived the whole issue by its findings that the translation arrangements which then obtained in the Public Service were uneconomical. In recommending the creation of a Translation Bureau, the Committee stated that its enquiries had led it to the conclusion that, apart from promoting uniformity in translation, fewer translators would be required.

During October 1928 the Public Service Commission was again asked to conduct a special investigation into the practicability and effect of creating





a Translation Bureau in Pretoria. The Commission found the situation then obtaining to be highly unsatisfactory and recommended the creation of a centralized Translation Bureau as the best way of securing co-ordination, standardization of translation, elimination of overlapping and duplication of work. As a result the Central Translation Bureau was established in April 1930.

At the outset the Bureau functioned primarily in an editorial capacity, but gradually, with the expansion of the establishment, an increasing volume of original translation of matter intended for publication was taken over from the various departments. As a result of this centralization a degree of standardization has been attained which was impossible under the earlier arrangements, translation techniques and technical terminology have been improved and expanded, and a self-contained professional service has taken the place of independent and scattered units engaged on translation.

One section of the Bureau was and is responsible for translations from and into foreign languages.

The main function of the Bureau<sup>1)</sup> is at present the translation from one official language into the other of all major Government publications such as statutory and other reports, brochures, pamphlets and regulations. It is also responsible for the scrutiny, prior to printing, of departmental reports, official notices, statements, departmental forms, etc. prepared in both languages. The Bureau is not called upon to translate departmental correspondence, memoranda, or other similar domestic matters: All such work, where necessary, is disposed of by the personnel of the departments concerned

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1) Now a branch of the Department of Education, Arts and Science, and known as the "Language Service Bureau".



without the assistance of translators. Government Bills for submission to Parliament are not referred to the Bureau for translation, as legal experts specialising in the drafting of such measures are responsible for the texts in both languages.

The Language Service Bureau is used to a varying extent by all government departments. Some departments, however, also maintain their own language sections. The Department of Posts and Telegraphs, for instance, created a Language Committee in 1948 to compile lists of standardised Post Office terminology. This committee published a Post Office dictionary in 1959 and handles certain internal translation work. Similarly, the two agriculture departments rely heavily on the services of their own publications section (a part of the Department of Agricultural Technical Services). Their translation work chiefly involves the departments' annual reports, articles for publication in departmental periodicals such as Agrekon, Farming in South Africa, Agricultural News as well as other informative pamphlets.

Both the Department of Bantu Administration and Development and the Department of Bantu Education handle their own translation work in respect of the various Bantu languages. Special interpreter-clerks are employed for this purpose and in some instances the assistance of qualified linguists in the Department of Information is called in.

## 2. THE SERVICES

The Police Force, the Prisons Service and Defence Force all follow the same practices of bilingualism as the central departments of State but the specialised needs of military units grappling with bilingualism as well as war, have from time to time necessitated special efforts such as the publication of a Services Dictionary in 1954. This most comprehensive work, in which military terms are given in English with their Afrikaans translations,



is the product of the Defence Terminology Board in co-operation with the "Vaktaalburo" (Technical terms Bureau) of the South African Academy for Science and Art.

### 3. THE SOUTH AFRICAN RAILWAYS (S.A.R.)

The South African Railways, the largest single government enterprise in South Africa, is not part of the Public Service proper. The Railways administration falls under the control of the Minister of Transport (advised by the Railway Board) and a General Manager. The Railways Administration is not subject to the control of the Public Service Commission nor of the Treasury - Railway finances and line construction being subject to direct, annual parliamentary control.

The S.A.R. employs a total of 113,000 White persons of whom 59% are Afrikaans-speaking and 40% English-speaking.

#### General Policy

The Administration's language policy is based primarily on section 8 of Act 22 of 1960 as amplified in extenso in Special Notice No. 3836 of the 10th June, 1960. The contents and application of this policy are outlined below.

#### Bilingualism in Communications

In applying its policy of bilingualism, the Administration must of necessity take into account that in their dealings with members of the railway staff, the public are entitled to be served, both verbally and in writing, in either of the official languages. For their part, members of the railways staff are free to make use of either of the official languages when initiating official correspondence, in replying to official correspondence addressed to them in connection with their own personal matters and during departmental discussions. Replies to official letters (except personal cor-





respondence), must be conducted in the language in which such correspondence is initiated.

### Internal activities

All circulars, instructions and special notices intended for the information of personnel are issued in both official languages. Those destined for heads of departments, however, are issued alternately in English and Afrikaans.

The S.A.R. reports that it used to be the practice first to compile technical manuals in English and then to translate them into Afrikaans. With the growth of a technical vocabulary in Afrikaans however, an increasing number of these technical documents is written in Afrikaans in the original.

### Translation

The South African Railways maintains a comprehensive Language Bureau consisting of two non-technical divisions and six technical divisions. This Language Bureau is concerned with -

- (i) the promotion of bilingualism in the S.A.R.;
- (ii) the editing of language used in -
  - (a) all matter intended for the public such as press statements, brochures, etc.;
  - (b) all basic documents of the Administration such as regulations, instructions, manuals, tariff lists, etc.;
  - (c) all contractual documents such as tenders, specifications, contracts per se, agreements, etc.;
  - (d) captions to drawings, lectures for personnel and other technical matter;
- (iii) the provision of technical terminology for use in the various sections and divisions of the S.A.R. by means of bilingual dictionaries and lists of terminology;



- (iv) the general enlightenment and guidance of all employees with regard to language problems; and
- (v) the liaison with other recognised language bureaux in order to promote and co-ordinate Afrikaans technical terminology.

#### 4. THE PROVINCIAL ADMINISTRATIONS

The basic policies of language usage in the provincial administrations are essentially similar to those followed by government departments. In the implementation of these policies, however, the geographical grouping of Afrikaans and English-speaking people within the provinces exerts considerable influence. The White population of Natal has always been predominantly English-speaking, the Orange Free State and the greater part of the Transvaal are predominantly Afrikaans, whilst in the Cape Province English and Afrikaans enjoy the longest history of considerable mutual acceptance and co-existence.

#### Communications with the Public

As is the case in government departments, the provincial administrations in general communicate in writing and verbally with private persons and outside bodies in the official language known to be used or preferred by those concerned. In the provincial administrations of the Transvaal and Cape of Good Hope, this policy is based on informal usages whereas in Natal the policy is set out in formal directives. In all cases printed forms for external use are available in both official languages.

The comparative ratios of correspondence conducted in the two official languages are reflected in Table D.



TABLE D

CORRESPONDENCE WITH THE PUBLIC

Province	Percentage of letters received in		
	Afrikaans	English	Other
Transvaal	60	40	0
Cape	55	45	0
Natal	10	90	0

Internal activities

Although it is the generally accepted policy in provincial administrations to issue publications in both official languages, there appears to be a tendency to favour either one or the other in the circulars drafted for internal use, depending on the language medium of the majority of employees.

To counter this tendency, the Natal Provincial Administration in 1955 introduced a scheme of alternating the languages on a monthly basis. All internal communications are required to be dealt with in the language of the month, irrespective of the language used in initiating any subject. As far as circulars are concerned, a differentiated policy was introduced for each branch, section or division in the Administration. In the Local Government Branch all circulars have to be issued in both official languages. In the so-called Staff Branch and in the General Section, English and Afrikaans are to be used by rotation. In the Central Stores Section circulars of a general nature are issued alternately in English and Afrikaans, but in the case of circulars of a technical nature, English is prescribed as the medium where the English terminology is more comprehensive and better known. All submissions or memoranda to the Executive Committee are drafted in English. The language used in conversations between officials is left to their discretion.





## Registry card indexes

The existing state of affairs in this regard is shown in Table E.

TABLE E

### LANGUAGE OF REGISTRY CARD INDEXES

Provincial Administration of	Afrikaans	English	Both
Transvaal			x
Cape of Good Hope			x
Natal		x	

## Translation Services

The three reporting Provincial Administrations each maintain language services sections consisting of three to five suitably qualified officials. The services of these sections are made available to all employees faced with language problems. In addition, the work of these sections in Transvaal and the Cape of Good Hope Administrations comprises the editing of all ordinances, regulations, gazettes and other documents intended for publication. In Natal the work of the language section includes:

- (a) translation of ordinances and regulations - mainly from English into Afrikaans;
- (b) translation of circulars - in both languages;
- (c) translation of official correspondence - mainly from Afrikaans into English.

## 5. THE LOCAL GOVERNMENT BODIES

As might be expected, the language practices of local government bodies are more diverse than those at the two higher levels of government. Questionnaires were sent to a number of the larger city councils in the country.



Of those who replied, the populations of two are predominantly Afrikaans-speaking (Pretoria and Bloemfontein), whereas in the other three the citizenry is mainly English-speaking (Cape Town, Port Elizabeth and Pietermaritzburg).

#### Communications with the Public

In all instances, the city councils reported their general policy to be that of replying to letters from the public in the language of origin and of publishing public notices in both official languages.

The general picture with regard to correspondence with the public is reflected in Table F. The city councils also claim without exception to have adopted the policy of using the language known to be preferred by the addressee or respondent when initiating correspondence, opening negotiations and settling accounts etc.

TABLE F

#### CORRESPONDENCE WITH THE PUBLIC

City	Percentage of letters received in -		
	Afrikaans	English	Other
Bloemfontein	55	45	0
Cape Town	5	95	0
Pretoria	75	25	0
Pietermaritzburg	1	99	0
Port Elizabeth	10	90	0

#### Internal activities

Two city councils (Pretoria and Bloemfontein) have adopted the practice of using Afrikaans and English by rotation on a monthly basis for the conduct



of council meetings. This rule, however, applies only to formal aspects such as the opening of meetings, prayers, submission of documents, agenda's and minutes. Members present at meetings of the Council are free to speak in whatever official language they prefer. Internal activities such as the preparation of circulars, memoranda, inter-departmental correspondence and other documents usually feature the almost exclusive use of Afrikaans in these two cities.

In the predominantly English-speaking cities of Cape Town, Pietermaritzburg and Port Elizabeth, the position is just the reverse. There practically all inter-departmental correspondence, circulars and documents such as agenda's and the minutes of meetings are in English only.

Tables G and H outline roughly the situations obtaining in the Councils which replied in so far as publications and registration activities are concerned.

TABLE G

PUBLICATIONS, MANUALS AND CIRCULARS

City	Percentage available in -		
	Afrikaans	English	Both
Bloemfontein	0	0	100
Cape Town	0	50	50
Pretoria	0	0	100
Pietermaritzburg	0	50	50
Port Elizabeth	0	90	10





TABLE H

LANGUAGE OF REGISTRY CARD INDEXES

City	Afrikaans	English	Both
Bloemfontein		x	
Cape Town		x	
Pretoria			x
Pietermaritzburg		x	
Port Elizabeth		x	

Translation

Two of the five responding city councils have translation or language bureaux. Pretoria has a Language Bureau staffed by seven qualified officials responsible for translating all notices, regulations, council agenda's and minutes, as well as other memoranda or documents submitted to the Council or its committees. The Cape Town City Council has a staff of three engaged in translating into English any communications received in Afrikaans and then translating into Afrikaans the replies to such communications which have been drafted in English. In addition, this bureau translates all official notices, draft regulations, as well as documents received in Afrikaans and which are to be quoted in or attached to a Committee agenda.

The Pietermaritzburg City Council has at its disposal the services of a part-time translator appointed from outside the municipal service to translate public notices, regulations or other documents or correspondence as and when the need arises.

The City Councils of Port Elizabeth and Bloemfontein have no special translation services. In the case of Port Elizabeth, the services of bilingual senior officials are used, in consideration of which skill they are



paid additional remuneration. Letters received in Afrikaans are translated because some members of the personnel have been recruited abroad and are not able to read Afrikaans. In Bloemfontein a similar situation obtains in that translation work is handled by the regular staff as a matter of internal routine. In both instances, nevertheless, the establishment of adequate translation sections is envisaged.

## 6. AUTONOMOUS BOARDS AND CORPORATIONS

In this section we turn to a number of the largest government controlled corporations and agricultural produce control boards. These establishments are entirely independent of the personnel policies of the Public Service Commission and are not subject to conventional Public Service controls.

### Communications with the Public

As might be expected the bulk of the correspondence of the industrial corporations is conducted in English - the traditional language of commerce and industry in South Africa no less than elsewhere. The agricultural products control boards, on the other hand, conduct by far the greater volume of their correspondence in Afrikaans - the home language of the majority of farmers in South Africa. The ratios are reflected in Table I.

In replying to the questionnaire, these establishments in all cases reported that it is their policy wherever possible to use the language preferred by their correspondents. The same principle applies to verbal communications. Public notices are invariably bilingual whilst forms, publications, manuals and notices intended for public consumption are practically always also available in both languages.



TABLE I

CORRESPONDENCE WITH THE PUBLIC

Organization*	Percentage letters received in		
	Afrikaans	English	Other
A.E.B.	60	39	1
C.S.I.R.	15	80	5
F.O.S.C.O.R.	35	64	1
I.D.C.	20	79	1
I.S.C.O.R.	30	70	0
S.A.S.O.L.	17	82	1
Meat Board	75	24	1
Mealie Board	55	45	0
Wool Board	60	39	1

\*List of abbreviations:

A.E.B.	- Atomic Energy Board.
C.S.I.R.	- Council for Scientific and Industrial Research.
F.O.S.C.O.R.	- Phosphate Development Corporation.
I.D.C.	- Industrial Development Corporation.
I.S.C.O.R.	- Iron and Steel Corporation.
S.A.S.O.L.	- South African Coal, Oil and Gas Corporation.
Meat Board	- Livestock and Meat Industries Control Board.
Mealie Board	- Mealie Industry Control Board.
Wool Board	- South African Wool Board.

Internal activities

The majority of establishments replying reported that they have no formal instructions on the subject of internal language usage. Internal communications are consequently conducted in the language preferred by the officials concerned.

There are exceptions, however, in that a number of standard practices of bilingualism have developed in certain of the establishments.





The Industrial Development Corporation, for instance, sees to it that all internal circulars are distributed in both official languages. The Council for Scientific and Industrial Research has adopted the policy of encouraging the compilation of bilingual documents for internal use. By way of contrast, the Phosphate Development Corporation conducts most internal activities in Afrikaans. In the South African Coal, Oil and Gas Corporation it is customary to keep the minutes of internal committee meetings alternately in English and Afrikaans.

The agricultural products control boards observe the custom of keeping the minutes of Board meetings in both official languages.

The position in regard to registry card indexes is shown in Table J.

TABLE J

LANGUAGE OF REGISTRY CARD INDEXES

Organization	Afrikaans	English	Both
A.E.B.	x		
C.S.I.R.		x	
F.O.S.C.O.R.	x		
I.D.C.			x
I.S.C.O.R.		x	
S.A.S.O.L.			x
Meat Board			x
Mealie Board		x	
Wool Board	x		



Translation services

Of the nine agencies who replied, seven reported that they maintained some form of special language or translation service, ranging from one official appointed specially for the purpose to a complete panel of personnel. The most comprehensive arrangements are found in the Council for Scientific and Industrial Research where a panel of nine translators handle the translation of scientific publications in no less than 16 West and East-European languages. For translation from Oriental languages the Council makes use of the contract services of a language bureau in Tokyo. The Council for Scientific and Industrial Research also maintains a section for Terminological Enquiries as a public service. The Phosphate Development Corporation employs the services of the translation section of the Council for Scientific and Industrial Research for the translation of technical and scientific material from languages other than English and Afrikaans. For the translation of documents from one official language to the other private translators are employed on contract. The South African Coal, Oil and Gas Corporation has established its own Technical Language Committee which also handles all the Corporation's translation work. The Iron and Steel Corporation maintains a panel of official translators who are called upon for the translation of documents required in both official languages and also to assist officials on a variety of language problems. The Atomic Energy Board also employs its own translators.

Of the three agricultural products control boards favouring us with replies, the Livestock and Meat Industries Control Board and the Mealie Industry Control Board also employ their own translators whose main functions are to translate from one official language into the other (usually Afrikaans into English), all memoranda, reports, letters, Board agenda's and resolutions, manuals, circulars, notices and other documents intended for the public. They are, of course, also available for consultation on other language problems by members of the staff.



CHAPTER VII

EMPLOYEE BILINGUALISM

The data used in this Chapter has been compiled from questionnaires sent to and returned by the various institutions mentioned in earlier chapters. Fortunately most of the major institutions to which the questionnaire was forwarded, responded. The information furnished therefore provides a comprehensive picture of the present-day position in regard to bilingualism in the public sector.

1. THE CENTRAL DEPARTMENTS OF STATE

Completed questionnaires were returned by 21 of the 36 central departments of State. The responding departments employ almost 68,000 White officials while some 14,000 are employed by the departments which failed to respond.

The total number of officials reported upon as well as the ratio of English to Afrikaans-speaking units are shown in Table A.





TABLE A

EMPLOYEE STATISTICS

Department of	Total number	Percentage with home language		
		Afrikaans	English	Other
Agricultural Economics and Marketing	597	95	4.5	.5
Agricultural Technical Services	5,540	90	9.5	.5
Bantu Administration and Development	3,081	70	30	0
Bantu Education	1,112	85	24	1
Coloured Affairs	586	90	10	0
Customs and Excise	1,072	65	35	0
Education, Arts and Science	4,281	52	45	3
Information	240	82	12	6
Inland Revenue	2,764	75	25	0
Justice	3,840	75	24	1
Labour	1,457	81	19	0
Lands*	506	94	26	0
Planning	168	80	18	2
Posts and Telegraphs	31,251	77	23	0
Public Service Commission	189	95	4.5	.5
Social Welfare and Pensions	1,416	80	20	0
Immigration	217	95	4	1
Public Works	1,111	63	36.5	.5
Prisons	3,750	96	3.5	.5
Defence	4,184	85	15	0
Foreign Affairs	259	67	32	1

\*See footnote to Table A, Chapter VI, supra.

From the foregoing figures it will be seen that the vast majority of public servants are at present Afrikaans-speaking.

Employee bilingualism

The Public Service Act, No. 54 of 1957, contains the following provisions in regard to language proficiency:



"Subject to the provisions of this section and section twelve, appointments, transfers and promotions in the public service shall be made in such manner and subject to such conditions (including the possession of knowledge of the official and other languages) as may be prescribed, or if not so prescribed, as may be directed by the Commission: Provided that no person shall be admitted to the clerical division unless he has passed in both official languages at the examination, prescribed or directed as aforesaid, which qualified him for appointment in the public service or unless he is transferred to a post in the clerical division in terms of the provisions of this Act, having displayed special aptitude and possessing qualifications which render him suitable for such a post."

In pursuance of these objectives the Public Service Commission devised a series of language tests which will be described in a subsequent chapter, and which all officers on the permanent establishment had until recently, to pass.

The degree of employee bilingualism in the responding departments is reflected in Table B. Since the figures are no more than estimates they must unfortunately be regarded with a measure of reserve. However, they do provide a rough pointer to basic tendencies.



TABLE B

EMPLOYEE BILINGUALISM

Language Groups by Department		Percentage of Employees who are		
		Fully bilingual	Reasonably bilingual	Not bilingual
Agricultural Economics and Marketing:	Afr.	40	50	10
	Eng.	50	40	10
Agricultural Technical Services:	Afr.	30	60	10
	Eng.	40	50	10
Bantu Administration and Development:	Afr.	30	60	10
	Eng.	30	60	10
Bantu Education:	Afr.	80	25	5
	Eng.	40	45	5
Coloured Affairs:	Afr.	49	46	5
	Eng.	60	35	5
Customs and Excise:	Afr.	60	25	15
	Eng.	25	50	25
Education, Arts and Science:	Afr.	40	45	15
	Eng.	35	45	20
Information:	Afr.	70	25	5
	Eng.	70	25	5
Inland Revenue:	Afr.	40	40	20
	Eng.	40	45	15
Justice:	Afr.	70	25	5
	Eng.	70	25	5
Labour:	Afr.	30	50	20
	Eng.	10	50	40
Lands*	Afr.	75	20	5
	Eng.	80	16	4
Planning:	Afr.	45	30	25
	Eng.	40	35	25
Posts and Telegraphs:	Afr.	46	36	18
	Eng.	33	45	22
Public Service Commission:	Afr.	55	33	12
	Eng.	76	12	12
Social Welfare and Pensions:	Afr.	54	18	28
	Eng.	59	23	18
Immigration:	Afr.	80	19	1
	Eng.	80	19	1
Public Works:	Afr.	53	28	19
	Eng.	23	24	53
Prisons:	Afr.	30	60	10
	Eng.	60	35	5
Defence:	Afr.	50	45	5
	Eng.	40	55	5
Foreign Affairs:	Afr.	90	10	0
	Eng.	90	10	0

\*See footnote to Table A, Chapter VI, supra.





The above figures indicate that the vast majority of public servants can today be accepted as bilingual to a reasonable extent. The officials who are lacking in this respect are usually found in the Professional and Technical Divisions of the Public Service where a considerable number of immigrants is also to be found.

It is necessary to mention that every recruit for the South African diplomatic corps must be in possession of a university degree. The recruit is appointed as a Cadet and before he can be promoted to the next higher grade - Third Secretary - he is required to pass an examination in the French language equivalent to the examination conducted at a university after one academic year's training in French. A recruit who has passed in French I at a university is exempted from further examination in the French language.

## 2. THE SERVICES

It will be recalled that particulars of the personnel of the "Services" (Police and Defence Forces and Prisons Service) have been furnished in the preceding section on central departments of State. However, in the following paragraphs the Police Force is dealt with separately because it differs in certain important respects from the other two.

### The South African Police

The language policy of the Police Force is set forth in a series of Standing Orders issued pursuant to the provisions of the Police legislation. Standing Order No. 738 stipulates that every member of the Force has the inalienable right to use the official language of his choice, and in which he can best express himself, in official correspondence or in any police register, record, book, docket, diary, or any official document. However, in written or verbal communications with a member of the public he must respond



in the official language used by such member of the public.

Standing Order No. 739 states that it is incumbent on all policemen to acquire a thorough knowledge of both official languages in order properly and efficiently to carry out their official duties. To this end language tests form an integral part of the annual promotion examinations. The Order stipulates further that divisional and district orders to which the entire Force is subject, must be published in both official languages. Items in divisional or other circulars dealing with criminal "informations" issued for the guidance of police officials need be inserted in the official language of origin only. Circulars compiled for distribution to pound masters or other persons outside the Force must be published in both official languages.

Standing Order No. 740 goes on to lay down that when an affidavit or other statement is made before a policeman in one of the official languages, it must be recorded in the same language. When, however, such an affidavit or other statement is made in a language other than an official language, the member of the Force is free to record it in the official language of his choice. Every member of the Force also has the indisputable right to give evidence in any of the courts of the country in the official language he prefers and in which he can best express himself.

The South African Police Force has a total White strength of 15,954 of whom 90 per cent are Afrikaans-speaking and 10 per cent English-speaking. Of the Afrikaans-speaking members 30 per cent are estimated to be fully bilingual, 50 per cent reasonably so and 20 per cent not properly bilingual. The corresponding figures for English-speaking members are estimated at 25 per cent, 55 per cent and 20 per cent.



It is necessary to explain that all White recruits in the Police Force are subjected on appointment to a nine months period of training at the Police Training College in Pretoria. A variety of subjects, including the two official languages, must be studied during this training period.

### 3. THE SOUTH AFRICAN RAILWAYS, HARBOURS AND AIRWAYS

In order to comply with the practical requirements of the South African Railways, Harbours and Airways in regard to bilingualism, it is accepted that -

- (i) all vacancies in positions where employees necessarily come into direct contact with the public and/or where correspondence must be conducted in both official languages, must be filled by persons who are proficient in both official languages; and
- (ii) all vacancies in positions where employees come into direct contact with members of the personnel in a supervisory capacity and/or where correspondence must be conducted in both official languages, must be filled by persons who are proficient in both official languages.

To this end, posts have been classified within specified language norms, each of which is defined with due regard to the nature of the duties of the posts to which they are appropriate. Various certificates have been introduced to serve as proof of compliance with the Administration's practical language requirements for promotion to specified positions. Depending on the type of post concerned, e.g. clerical or non-clerical, or posts the incumbents of which come into contact with the public or supervise personnel or not, the certificates are issued by promotion selection committees or other panels of officials appointed for this purpose, on the basis of oral and/or written tests. No standard tests are at present in general use.

Apart from the practical language requirements mentioned above, candidates for appointment in or promotion to specified graded positions, have





to comply with certain minimum educational language qualifications.

The Railways Administration has found it impossible to furnish statistics or even estimates of the home languages and language proficiencies of its employees in general. It may be accepted, however, that the majority of the White employees of the Railways are today Afrikaans-speaking - probably in the same ratio as the officials of the central departments of State.

#### 4. THE PROVINCES

The employee statistics of the provinces which returned questionnaires are as follows:

Provincial Administration of	Total number of employees	Percentage with home language -		
		Afrikaans	English	Other
Transvaal	37,514	69	29	2
Cape of Good Hope	31,056	63	35	2
Natal	10,063	30	70	0

The foregoing figures include the "Public Service" officials of the provinces as well as the "provincial employees" which the provincial authorities are empowered to engage. As explained elsewhere the officials of the provincial headquarters are members of the central Public Service. Apart from this, the provincial authorities are empowered to make their own arrangements concerning personnel to carry out the tasks entrusted to the provinces.

Both "Provincial" and "Public Service" personnel members employed by the Provincial Administrations are required to possess qualifications in both languages at the educational level prescribed for appointment.

As far as promotions are concerned, only "Public Service" employees are subject to the policy of bilingualism prescribed by the Public Service Com-



mission in terms of the Public Service Act. "Provincial" employees such as teachers, medical, paramedical, nursing and provincial, clerical and administrative personnel have never been subject to the language tests administered by the Public Service Commission. They are required, however, to demonstrate (usually to their supervisors) a degree of proficiency in the second language, adequate for promotion to more senior positions.

In Natal, which as has been noted, is a predominantly English-speaking Province, the application of the "Public Service" policy of bilingualism has not been without repercussions. An appreciable number of officials is English-speaking and they find difficulty in passing the Afrikaans language tests. Consequently the progression of some has been retarded.

Table C reflects the estimated comparative degrees of bilingualism of Afrikaans and English-speaking provincial employees.

TABLE C

EMPLOYEE BILINGUALISM

Language group by Provincial Administration		Percentage employees who are		
		Fully bilingual	Reasonably bilingual	Not bilingual
Transvaal:	Afrikaans	50	40	10
	English	45	50	5
Cape of Good Hope:	Afrikaans	45	50	5
	English	35	50	15
Natal:	Afrikaans	66	27	7
	English	15	30	55



5. THE LOCAL GOVERNMENT BODIES

The cities stated in most cases that the information required on the home languages of their employees could not be ascertained. However, the incomplete figures furnished are as follows:

City	Total number of employees	Percentage with home language -		
		Afrikaans	English	Other
Bloemfontein	950	90	7	3
Cape Town	3,904	Not furnished		
Pretoria	3,500	85	15	0
Pietermaritzburg	1,250	25	75	0

The replies received from the cities also indicate that all have made their own arrangements for testing the language proficiency of their officials. The general impression is, however, that the tests imposed are administered on an ad hoc basis. The general rule is also that bilingualism is a requirement for appointment and promotion at the local government level. In this regard it will be recalled from earlier chapters that the provincial councils have by legislation imposed certain restrictions on the personnel practices of the local authorities.

6. THE GOVERNMENT CORPORATIONS AND OTHER PUBLIC INSTITUTIONS

The employee statistics of the government corporations and other public bodies which returned the questionnaires are as follows:





Institution	Total number of White employees	Percentage with home language -		
		Afrikaans	English	Other
A.E.B.	500	60	30	10
C.S.I.R.	1,900	55	35	10
F.O.S.C.O.R.	272	92	8	0
I.D.C.	210	55	45	0
I.S.C.O.R.	15,000	Not available		
S.A.S.O.L.	3,800	75	20	5
Meat Board	359	75	24	1
Mealie Board	301	98	2	0
Wool Board	75	96	3	1

In all the responding organisations some standards of proficiency in both official languages are required as a condition of appointment and promotion - at least in respect of administrative personnel or personnel dealing with the public. These standards are determined and applied by the various personnel offices. Only in the cases of the South African Iron and Steel Corporation and the Council for Scientific and Industrial Research are standardized formal language tests carried out on initial appointment as well as when the question of promotion is being considered.

In the majority of instances, however, a considerable number of immigrants is appointed in research and technical positions for which high standards of proficiency in both official languages are not considered essential to the efficient performance of their specialised work.

The general picture with regard to employee bilingualism is as follows:



Language group by institution		Percentage of employees who are -		
		Fully bilingual	Reasonably bilingual	Not bilingual
A.E.B.:	Afrikaans	50	40	10
	English	30	40	30
C.S.I.R.:	Afrikaans	50	40	10
	English	40	40	20
F.O.S.C.O.R.:	Afrikaans	50	26	24
	English	62	14	24
I.D.C.:	Afrikaans	75	20	5
	English	40	35	25
I.S.C.O.R.:	Afrikaans	Not available		
	English	Not available		
S.A.S.O.L.:	Afrikaans	50	45	5
	English	10	80	10
Meat Board:	Afrikaans	30	50	20
	English	20	60	20
Mealie Board:	Afrikaans	Not available		
	English	Not available		
Wool Board:	Afrikaans	95	5	0
	English	5	95	0

It will be seen from the foregoing figures that the employees of these bodies are by no means as bilingual as the officials of the central departments of State.



CHAPTER VIII

PUBLIC SERVICE LANGUAGE TESTS

1. THE TESTS PRESCRIBED BY THE ACT OF 1912 AND THE PROVISIONS OF THE ACT OF 1923

As discussed earlier, the first Public Service Act for the Union was passed by Parliament in 1912. This Public Service and Pensions Act, 1912, provided in Section 11(1) that no clerical assistant could be promoted unless he was qualified in both official languages.<sup>1)</sup> The effect of this stipulation was that clerical assistants had to pass in the Dutch and English papers at the Matriculation Examination or the Public Service Examination. These examinations were conducted by the Joint Matriculation Board and were always held concurrently so that the marks obtained by the candidates could count for both examinations.

The Public Service and Pensions Act, No. 27 of 1923, which repealed the Act of 1912, laid down in Section 15(1) that a person appointed to the fixed establishment in the Clerical Division before the 1st August, 1928, and who had not passed in both official languages at the entrance examination (the Matriculation Examination) could not have his salary increased beyond that drawn by him at the expiration of five years from the date of his first appointment unless and until he had passed the prescribed language examination.<sup>2)</sup> For the purposes of the 1923 Act the Public Service Commission agreed that the arrangements made to meet the requirements of the 1912 Act should continue in force after 1923 but not beyond the 31st December, 1924.

The results obtained at the aforementioned language examinations are as follows:

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1) See also p. 26 supra.

2) See also p. 28 supra.





Date of examination	No. of candidates		No. of successful candidates	
	One language	Both languages	One language	Both languages
1916	1	1	-	-
1917	3	5	2	3
1918	8	7	8	3
1919 June	7	-	1	-
December	9	-	2	-
1920 June	20	1	3	-
December	17	2	5	2
1921 June	13	4	4	2
December	21	1	9	1
1922 June	12	-	1	-
December	14	2	3	1
1923 June	13	-	1	-
December	23	1	5	-
1924 June	34	6	8	-
December	48	15	12	4

It will be seen that no success was achieved with these examinations.

During 1925 the arrangements were therefore discontinued and from then on the officials concerned were required to pass in English and Afrikaans at various language examinations conducted by educational authorities or other prescribed bodies.

It must also be stressed that these examinations were held to enforce statutory entrance requirements and not to assess the working proficiency of officials. From 1912 to 1924 no examinations or tests were applied to test the working or practical bilingualism of public servants. Such tests were introduced only much later in the manner described below. Until such tests were eventually introduced supervising officers had to indicate in staff reports submitted to the Public Service Commission their assessment of the language ability of the officers reported upon - a most unsatisfactory arrangement when it is borne in mind that numerous supervisory officials were themselves unilingual English-speakers.



It is also necessary to point out that no language qualifications were prescribed for professional and technical officers in the Acts of 1912 and 1923. However, the Public Service Commission demanded of candidates for appointment to such posts a degree of language proficiency sufficient for the efficient discharge of the duties attaching to the posts to which they aspired. Where a candidate was not able to meet this requirement his appointment was generally made in a temporary capacity for 12 months during which time the appointee was required to acquire a satisfactory knowledge of the second language. At the end of the 12 months the appointee was subjected to a special examination, oral as well as written, and if he failed, his temporary appointment could be extended to afford him further opportunity to qualify.<sup>3)</sup>

## 2. THE PUBLIC SERVICE ENTRANCE EXAMINATIONS 1935 TO 1951

Because the number of candidates available for appointment to clerical posts was so greatly in excess of the number of vacancies to be filled during the late twenties and early thirties, new arrangements proved necessary to facilitate and expedite the objective selection and recruitment of the best aspirant Public Servants. To this end a series of annual selection (or elimination) examinations were inaugurated in 1935 in addition to the statutorily prescribed entrance examinations (i.e. the Matriculation or the Junior Certificate). These new examinations, known as Public Service Examinations, were conducted by the Department of Union Education and were designed as an overall test of a candidate's ability to use the two official

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3) Union of South Africa: Fourteenth Annual Report of the Public Service Commission (1925), (Cape Town: Cape Times Ltd., Government Printers, 1926), p. 6.



languages, his general knowledge and accuracy. The accent was however, on bilingualism, and greater facility in the actual use of both languages was demanded than was at the time guaranteed by possession of the minimum statutory entrance qualifications. It was felt that the limited academical achievement denoted by a pass in both languages at the prescribed entrance examination conducted by the education authorities, afforded in itself no guarantee of proper bilingualism for it had been demonstrated on numerous occasions that relatively few entrants, whether English-speaking or Afrikaans-speaking, could boast an adequate knowledge of their second language, viz. the one which was not their homelanguage.<sup>4)</sup>

The Public Service Commission decided in 1935 that a standard lower than 40 per cent of the marks in either language at the Public Service Examinations could not be regarded as satisfactory from the point of view of the normal requirements of posts in the Clerical Division, and from then on urged candidates failing to attain that minimum standard to improve their knowledge of the language(s) in which they were deficient. The Commission also warned candidates by way of circular minutes issued from time to time that language deficiencies of the nature indicated could adversely affect their prospects of advancement in the Public Service.<sup>4)</sup> Arrangements were made in conjunction with the Department of Union Education for officers who desired to prove their proficiency in either or both official languages to re-write the English and/or Afrikaans papers at subsequent annual Public Service Examinations.

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4) Union of South Africa: Twenty-Third Annual Report of the Public Service Commission (1934), (Pretoria: Government Printer, 1935), p. 9.  
See also the 24th Annual Report of the Commission (1935), pp. 8 - 10.





Three types of Public Service Examinations were introduced:

Examination "A" introduced in 1935 for the selection of male clerks (the educational qualification for admission to this examination was the Matriculation Certificate);<sup>5)</sup>

Examination "B" introduced in 1936 for the selection of woman clerks (the educational qualification for admission was the Junior Certificate);<sup>6)</sup>

Examination "C" introduced in 1937 for the selection of post and telegraph assistants (the educational qualification for admission was the Junior Certificate).<sup>7)</sup>

The results of these examinations over the years consistently revealed a serious deficiency in one or both of the official languages on the part of a large proportion of new entrants to the Public Service.

The figures furnished below reflect the marks attained at the Public Service Examinations "A" and "B" during the years 1943 - 1949.<sup>8)</sup>

RESULTS OF LANGUAGE EXAMINATIONS 1943 - 1949 <sup>9)</sup>

Examination	No. of Appointments	40% or more in both languages	Less than 40% in both languages	Less than 40% in	
				English	Afrikaans
A (Male Clerks)	2,610	959	65	1,237	349
B (Woman Clerks)	2,448	1,177	23	937	311
B (Probationer Post and Telegraph Assistants and Apprentices)	1,958	522	158	845	364
Total .....	7,016	2,658	246	3,019	1,024

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5) Government Notice No. 935 of 1934.

6) Government Notice No. 1431 of 1935.

7) Government Notice No. 1239 of 1936.

8) Examinations "B" and "C" were amalgamated in 1943 for administrative reasons.

9) Annual Reports of the Public Service Commission



The figures indicate that only 38 per cent of the candidates appointed during the years 1943 - 1949 could be regarded as having attained a reasonable degree of proficiency in the two official languages. About 43 per cent of the total number of appointees possessed an inadequate knowledge of the English language compared with 15 per cent in respect of Afrikaans - a state of affairs directly due to the preponderance of Afrikaans-speaking recruits. The Public Service Commission also attributed this lack of bilingualism to the fact that a greater percentage of candidates was forthcoming from the rural areas where the Afrikaans-speaking populace constituted a large majority and where the opportunity for practice in speaking the second language (English) was and still is lacking.<sup>10)</sup> It should also be noted that in contrast to the period when the Public Service Examinations were introduced in 1935 the general shortage of manpower in the post-war period militated against the application of strict selection criteria so that even candidates with demonstrably low standards of bilingualism had perforce to be appointed.<sup>11)</sup>

In 1950 the Public Service Commission, in an effort to attract more recruits, decided to suspend Public Service Examination "A" for male candidates desiring appointment as Clerical Assistants. In 1951 Examination "B" for candidates seeking appointment as Woman Clerks and Woman Post and Telegraph Assistants was also suspended for the same reason. It was found that since the number of candidates available for appointment in these grades continued to fall so far short of the requirements of the Public Service, the examinations had ceased to serve the purpose for which they were instituted, viz. as a selection device, and had become an encumbrance to the Commission's recruiting efforts.<sup>12)</sup>

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- 10) Union of South Africa: Thirty-Ninth Annual Report of the Public Service Commission (1950), (Pretoria: Government Printer, 1951), p. 20.
- 11) Union of South Africa: Thirty-Eighth Annual Report of the Public Service Commission (1949), (Pretoria: Government Printer, 1950), p. 8.
- 12) Union of South Africa: Fortieth Annual Report of the Public Service Commission (1951), (Pretoria: Government Printer, 1952), p. 15.



### 3. TESTS TO ASCERTAIN LANGUAGE PROFICIENCY

From time to time it was found necessary by the heads of the various departments of State to introduce as domestic arrangements tests to ascertain the language proficiency of officials in their departments. The Postmaster-General for example, introduced such examinations for clerical and administrative officials in 1932. No steps were taken by any central authority to ensure that these tests were conducted uniformly and that proper standards were maintained.

#### (i) The Language Committee of 1952

In December 1952 the Public Service Commission appointed a Committee of Enquiry into the Language Testing of Public Servants. The Committee consisted of senior officials drawn from various departments of State and its terms of reference were to enquire into and to make recommendations on the steps to be taken to determine in a standardised manner the standard of bilingualism of public servants. Special reference was to be made to the following:

- (a) The nature, extent and varying standards of bilingualism to be enforced in relation to the requirements of the various groups of posts in the Public Service.
- (b) The powers of the Commission under the provisions of Section 15 of the Public Service Act of 1923 to compel officers to subject themselves to language tests; and to determine whether such powers are desirable and under what circumstances they should be used.
- (c) The necessity or desirability of testing officials periodically to ensure that they are maintaining a satisfactory standard of language proficiency.
- (d) The extent to which existing facilities could be used to establish the language proficiency of officials and whether special machinery should be devised to meet the requirements.







The Committee reported on the 11th December, 1953.<sup>13)</sup> The most important findings of the Committee were that there were no formally established standard procedures or criteria in use to assess the language proficiency of officials in the Public Service. As far as testing procedures were concerned, the Committee found that in most departments only those officials whose proficiency in a specific language or languages was in doubt, were subjected to some kind of language test (usually at the request of the Public Service Commission). In these cases officials were usually only tested in the "second" language (there were no formal criteria to determine what an official's "first" language was). The method of testing used varied from one department to the next — such as, inter alia, requesting the official to deliver a speech; discussion of a familiar topic; requesting the official to read something in one language and to review it briefly in the other; requesting the official to answer questions of a general nature or having a bearing on his work; requesting the official to write a letter of a certain length or to translate a set piece. Generally speaking, the tests used were found to be highly subjective and, because uniform standards were non-existent, the severity of scrutiny applied by senior officials, language committees, merit reporting officers or moderators varied enormously — sometimes even from case to case in the same department.

The Committee made extensive investigations of the possibility of devising and introducing standardised language tests and testing procedures. A battery of language tests compiled by the National Bureau for Educational and Social Research (a section of the Department of Education, Arts and Science) for application in high schools, was administered by the Committee to small selected groups of officials from 21 departments representative of the clerical, administrative and professional divisions. A sample of more

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13) This unpublished report was consulted in the office of the Public Service Commission.



than 300 officials was tested.

Basing its findings on the results of these tests the Committee concluded that there were marked differences in the language proficiency of officers as between their first and second languages. It found little bilingualism amongst officials in the lower grades, but added the rider that proficiency in the second language generally improved with length of service. It also found concentrations of English or Afrikaans-speaking officials in certain departments and that English was at that stage still predominantly used as the official medium in the Public Service. This conclusion was borne out by the Committee's finding that Afrikaans-speaking officials generally attained higher levels of proficiency in English than did the latter in Afrikaans.

Convinced of the validity of the battery used in its survey, the Committee detailed the advantages of standardised tests. It contended that the use of a large number of pre-tested questions which eliminate preparation and which offer discriminatory yard-sticks could guarantee objective tests. The standardised methods used were simple to administer. With such tests, reading comprehension, vocabulary, and language usage (using multiple-choice answers) could be assessed and the written portions thereof could be supplemented by oral tests.

The Committee recommended that the language requirements for each post or grade should be determined only after proper investigation. It further proposed that officials with higher language proficiency should be given preference for promotion in order to induce a more positive approach to bilingualism. The Committee contended that the determination of the actual standards of bilingualism demanded, should be based on the differing require-



ments of each post, the nature of the duties, the extent to which the incumbent is in contact with the public, the supervisory responsibilities, the population group served by the incumbent, and the relative importance of language proficiency as against technical proficiency. The Committee also suggested that the periodic testing of all officials to ensure proper selection for posts where language proficiency is required, should, as a matter of general policy, be undertaken shortly before promotion.

The Committee also found that there was doubt concerning the competence of the Public Service Commission under Section 15 of the Public Service Act of 1923 to make language tests compulsory. The Committee recommended, therefore, that the Public Service Commission be given the authority explicitly by law to make language tests compulsory and to prescribe the nature and standards thereof.

To implement its suggestions for new language testing programme, the Committee made a number of specific recommendations:

- (i) That a language committee be set up in each department, provincial administration, or section of a department, consisting of a Public Service Inspector and two officials of the rank of Principal Clerk.
- (ii) That the proposed language committees should investigate all posts in the department or section and make recommendations to the Commission as to the language requirements to be attached to individual posts.
- (iii) That the proposed language committees be given the task of testing all officials within their sections below the rank of Principal Clerk (using the tests recommended by the Committee).
- (iv) That a Chief Language Committee be established in the office of the Public Service Commission with authority to make final determinations on the language requirements attaching to all posts, to determine







standards for varying grades of proficiency, to select and train members of departmental committees, to decide disputes, to prescribe procedures, to test officials above the grade of Principal Clerk, and to develop and thereafter improve a battery of language tests.

(ii) The language tests

On the 11th June, 1954, after consideration of the report of the aforementioned committee of enquiry, the Public Service Commission issued P.S.C. Circular Minute No. 16/G notifying the heads of all the departments of State, the provincial administrations and the Administration of South West Africa of its decision to introduce language tests throughout the Public Service. The decision of the Commission directed that all officials in the Clerical, Administrative, Professional and General Divisions of the Public Service up to the rank of Chief Clerk, Grade II<sup>14)</sup> (or equivalent rank), were henceforth to be subjected to a test in both official languages during the year preceding that in which their promotion to higher graded posts was due to be considered by the merit committees.<sup>15)</sup>

Following an initial wave of severe adverse criticism from personnel of various departments of State in general and numerous individuals, some changes were effected in the application of the scheme. Thereafter the new

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- 14) The rank of Chief Clerk, Grade II, was at time the third rung in the hierarchy of posts in the Administrative Division. Appointments to the Administrative Division were then, as now, usually made from the Clerical Division. In June 1954 the hierarchy of posts in the Clerical and the Administrative Divisions was as follows: Clerical Assistant, Grade II; Clerical Assistant, Grade I; Senior Clerk; Principal Clerk; Chief Clerk, Grade II; Chief Clerk, Grade I; Under Secretary; Secretary of the Department of State.
- 15) These committees - of which each department had and still has at least one - moderate the merit assessments by supervising officers in respect of officials who are eligible for promotion to higher graded posts.



programme of language testing appeared to be well-established and became an accepted part of personnel administration in the South African Public Service. During 1955 and 1956 approximately 19,000 public servants were subjected to the tests. On the basis of experience gained during the first two years of application of the testing programme, the Public Service Commission reported that it had found a fair and objective yardstick by which to assess the language proficiency of officers and that the standardized language tests should contribute materially towards making the officials more proficient in language usage.<sup>16)</sup>

#### Nature of the Tests

The complete test in each language consists of four parts:

- (i) Reading Comprehension.
- (ii) Vocabulary.
- (iii) Language Usage.
- (iv) Oral.

The same tests are given to all officials, i.e. they are of universal application to officials in all divisions and grades of the Public Service. The questions are answered in the prescribed test booklets and candidates are not allowed to bring books or papers into the examination room or in any manner make notes of the questions. The likelihood that an appreciable number will be remembered after the test is remote. The printed tests are treated as highly confidential documents and are kept under lock and key in the office of the Public Service Commission.

Short descriptions of the tests, together with examples of the questions, are given below.<sup>17)</sup>

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- 16) Union of South Africa: Forty-Fourth Annual Report of the Public Service Commission (1956), (Pretoria: Government Printer, 1957), p. 10.
  - 17) Extracted from a brochure No. P.S.C. T/1(F) issued by the Public Service Commission - 10,000 copies of which were printed during the financial year 1954/5.



"A. Reading Comprehension (30 Minutes)

This test consists of a number of paragraphs dealing with a variety of subjects and arranged in order of difficulty from the easiest to the most difficult. Each paragraph is followed by one or more questions, each with a choice of one of five answers. The candidate must read the paragraph, the questions and the answers and then indicate the correct answer by writing the letter given in front of it between the brackets on the right.

Example: A factor which has a profound influence on the South African climate, particularly along the coastal belt, is the presence of ocean currents. The west coast of South Africa is washed by the cold Benguela current, and its influence on the coastal climate is accentuated by the upwelling of cold waters along the coast under the influence of the prevailing off-shore south east winds. The result of this is a cool and foggy seaboard, much of which is at the same time an almost rainless desert. Another consequence of the presence of this current is a decrease in temperature from south to north instead of an increase.

Question 1: The desert conditions along the west coast of Southern Africa are caused by the .....

- |                       |                   |     |
|-----------------------|-------------------|-----|
| (a) sandy soil;       | (b) lack of rain; |     |
| (c) cold sea current; | (d) east wind;    |     |
| (e) foggy weather.    |                   | (C) |

Question 2: As one sails north along the coast the water becomes .....

- |              |              |             |     |
|--------------|--------------|-------------|-----|
| (a) warmer;  | (b) dirtier; | (c) colder; |     |
| (d) saltier; | (e) cleaner. |             | ( ) |

Only those who can read intelligently, i.e., those who are able to grasp the central thought as well as the details in a passage and who can reproduce these and draw conclusions from them, obtain high scores in this test.

It follows, therefore, that the best way of preparing for this test is to read regularly and critically official documents, newspapers, periodicals and books.

B. Vocabulary (15 Minutes)

This test consists of fifty words arranged in order of difficulty from the easiest to the most difficult, each being followed by five words or phrases from which the candidate must select that word or phrase which has approximately the same meaning as the given word.

Examples: (1) To contribute means to -

- |              |                      |                  |     |
|--------------|----------------------|------------------|-----|
| (a) collect; | (b) subscribe;       | (c) give or pay; |     |
| (d) oppose;  | (e) check or verify. |                  | (C) |

(2) Fictitious means -

- |                  |                  |                 |     |
|------------------|------------------|-----------------|-----|
| (a) not genuine; | (b) fashionable; | (c) like a fig; |     |
| (d) fidgety;     | (e) financially. |                 | ( ) |





The test measures a person's knowledge of everyday English words, and consequently the best preparation for it is to jot down new words and phrases as one comes across them in one's reading, and to look up their meanings in a good dictionary.

C. Language usage (40 Minutes)

This test consists of several different sections, each of which tests a particular aspect of written language such as spelling, punctuation, vocabulary, idiom, grammatical usage and sentence structure. No knowledge of formal grammar is required.

Examples: (1) In each of the following sentences there is one word which should be written with a capital letter. Draw two lines under that letter and then write the letter between the brackets on the right:

(i) The parks in pretoria are very beautiful. (P)

(ii) The magistrate in charge of a district is the senior representative of the government in that district. ( )

(2) In each of the following sentences a punctuation mark has been left out. Make a cross where the punctuation mark should come and then write it clearly between the brackets on the right:

(i) Meat, vegetables and fruit may be sent by parcel  
post<sup>x</sup>. (,)

(ii) He will return in two years time. ( )

(3) In each of these sentences a word has been left out. Below the sentence there are five different spellings of that word; only one is correct. Find the correct spelling, and put the number given in front of it between the brackets at the side:

(i) He enjoyed his ..... to the full.

(1) holliday; (2) holiday; (3) holyday;  
(4) holleday; (5) hoeliday. (2)

(ii) You must come back .....

(1) emmediately; (2) immediatly; (3) imediately;  
(4) immediately; (5) immideately. ( )

(4) From the four words in brackets in each sentence, choose the one most suitable, and write the number given in front of it between the brackets at the side:

(i) She (1. dozed 2. snoozed 3. slept 4. drowsed)  
soundly. (3)

(ii) The prisoner made his (1. deliverance 2. freedom  
3. retreat 4. escape) by night. ( )



- (5) In this test you have to make the second sentence in each pair mean as nearly as possible the same as the first. Find the best word to put in each of the blank spaces and write it on the dotted line at the side:
- (i) No man should praise himself.  
Do not blow your own \_\_\_\_\_. trumpet
- (ii) Nobody forced me to come.  
I came \_\_\_\_\_ my \_\_\_\_\_. \_\_\_\_\_
- (6) The answer to each of the questions below is a single word. Read each question carefully and then write the word on the dotted line at the side:
- (i) One who habitually takes the worst view of things is called a \_\_\_\_\_. pessimist
- (ii) A person who walks with his shoulders bent forward is said to \_\_\_\_\_. \_\_\_\_\_
- (7) On the dotted line at the side write the missing word in each sentence:
- (i) Compare your answer \_\_\_\_\_ mine. with
- (ii) The man was accused \_\_\_\_\_ having stolen the woman's purse. \_\_\_\_\_
- (8) From the words in brackets choose the correct one and write it on the dotted line at the side:
- (i) It was (he, him) who sent the flowers. he
- (ii) The number of copies (is, are) limited. \_\_\_\_\_
- (9) On the dotted line at the side write the correct form of the verb in brackets:
- (i) Last night he (to do) his homework quickly. did
- (ii) The police heard he (to steal) the money. \_\_\_\_\_
- (10) In each of the following sentences a word or phrase has been misplaced. Underline the word or phrase and show where it should be placed by marking the position with a cross, as in the example:
- (i) He nearly caught X a hundred fish.
- (ii) The pretty young organist was anxious to make a good impression by her playing on the young minister.



As the title indicates, this is a test of a person's ability to use English correctly. It follows, therefore, that the best preparation for this test is to use and study the language regularly and systematically.

#### D. Oral (15 Minutes)

The oral test consists of ten questions on different subjects to which the candidate must reply in his own words to show that he can express his thoughts with ease. The examiner gives marks for comprehension, pronunciation, grammatical accuracy, vocabulary and idiom, and fluency according to a fixed plan which eliminates his subjective judgement as far as possible.

Examples: (1) To which radio programmes do you like to listen?

(2) What is your opinion of state lotteries?

It is clear that the best preparation for this test is to speak English regularly, and to listen to good English, for example, over the radio.

#### DEGREES OF PROFICIENCY

The Commission has laid down six degrees of proficiency based on the total weighted scores obtained in the four tests. The scores obtained by a candidate in each test are converted to a scale ranging from 0 to 100, with an average of 50, and these scale scores are then added. The total can, therefore, vary from 0 to 400.

The scale scores for the different grades are as follows:

Grade I .....	281 and above.
Grade II .....	261 to 280.
Grade III .....	241 to 260.
Grade IV .....	221 to 240.
Grade V .....	201 to 220.
Grade VI .....	181 to 200.

Grade I is the standard reached by the top 40 per cent of Std. X pupils, and Grade VI that reached by 60 per cent of Std. VI pupils in their first language.

In all branches of the Service for which the entrance requirement is the Matriculation Certificate, or an equivalent, the minimum requirements will in future be Grade II in one of the official languages and Grade IV in the other; and in all branches for which the entrance requirement is the Junior Certificate, or an equivalent, Grade IV in one official language and Grade VI in the other.

The Commission considers it essential, however, that the minimum requirements in the higher ranks of the Service should be raised gradually to Grade I in both official languages. It is, therefore, in the interest of all officers to improve their knowledge and command of both official languages systematically."





### Language Committees

To aid in the administration of the new testing programme, language committees were established in each department or provincial administration consisting, where possible, of fully bilingual members of the Central Merit Committee or the Advisory Personnel Committee of the department or administration concerned. To set up a language committee the department or the administration concerned must submit to the Public Service Commission a list of from six to ten names out of which the members of the language committee are appointed. At centres where there are few officials, inter-departmental committees are appointed on a regional basis.

The main function of language committees is to administer language tests and to report on the results to the Public Service Commission through the head of the department or administration concerned.

### The test programme and testing procedure

After the 31st January each year a card with the name of each official to be tested during the year is forwarded to the language committee concerned. As soon as possible after that date each committee must prepare its testing programme and advise all officials concerned.

The programmes have to be announced well ahead of time in order that officials may make the necessary arrangements to be present on the dates scheduled for the tests. In cases where officials cannot, for good reason, be present at the appointed times, supplementary programmes are arranged. Testing programmes have to be completed by June 30th of each year. Efforts are made to ensure that the tests take up the least possible time.

The head of the office or institution must be requested in writing to notify each candidate to report for the test on the fixed date and at the time



specified. Where officials refuse to take the test, they are required to confirm their decision in writing. Such statements must be forwarded to the Public Service Commission together with other relevant documents. Officials are regarded as being on duty while they are being tested and also for periods necessarily occupied in travelling or waiting.

On each occasion that officials are to be tested, the relevant language committee appoints three examiners who are jointly responsible for conducting the tests. The examiners must be chosen from the members, or alternate members, of the language committee and one of them acts as chairman. Different examiners may, according to circumstances, be assigned to conduct the English and Afrikaans tests or the written and oral tests. If an alternate member of the language committee is appointed as examiner, he should be of higher rank than the most senior official in the group to be tested. Members of the language committee who are themselves not fully bilingual, are assigned to conduct tests only in the language in which they are proficient.

The test materials are at all times treated as strictly confidential and are forwarded to the Chairman of each language committee by the Public Service Commission in a sealed parcel and by registered mail. The booklets for the written tests are sealed and the seals may be broken only by the candidate immediately before the commencement of the test on the instruction of the person conducting the test. The lists of questions for the oral test may be opened only by the Chairman of the committee of examiners in the presence of the first candidate to be tested on the day of the test. The completed booklets for the written tests and the score sheets for the oral tests (as well as unused booklets and score sheets) are returned in a sealed parcel by registered mail to the Secretary of the Public Service Commission.



## Results of Language Tests

The results of the tests in both official languages for the years 1957 to 1964 are presented in Table I. Of the 37,166 officers tested 64 per cent were successful, 15 per cent obtained a standard exempting them from further testing, 7 per cent failed in both language tests, 15 per cent failed Afrikaans only and 14 per cent failed English only. In view of the general preponderance of Afrikaans-speaking public servants, these results indicate a disparity in the second language proficiency of the two language groups.

The results of the official language tests in the S.A. Permanent Defence Force follow roughly the same trends as in the Public Service - see Table II. It is interesting to note that of the 10,557 members of the Defence Force tested, approximately 67 per cent passed - 3 per cent more than in the case of the civilian public servants. Only 7 per cent, however, attained a standard exempting them from further testing.

TABLE I

Results of tests in official languages (civilian public servants)<sup>18)</sup>

Year	No. of officials tested	Number passed*	Number failed		
			Both languages	Afrikaans only	English only
1957	6,284	4,238 (1,044)	300	1,210	536
1958	6,547	4,863 (1,052)	325	791	558
1959	4,083	2,657 (660)	276	708	442
1960	5,444	3,168 (688)	492	887	897
1961	6,928	4,148 (853)	455	958	1,367
1962	2,212	1,256 (317)	129	421	406
1963	2,023	1,449 (455)	90	266	218
1964	3,645	2,185 (563)	209	474	777
Totals	37,166	23,964 (5,632)	2,286	5,715	5,201

\*The figures in brackets indicate the number of successful candidates who attained a standard exempting them from further testing.







TABLE II

Results of tests in official languages (Members of the S.A. Permanent (Defence) Force).

Year	Number tested	Number passed*	Number failed
1958	3,907	2,900 (163)	1,007
1959	963	658 (85)	305
1960	2,158	1,276 (121)	882
1961	2,218	1,429 (147)	789
1962	321	137 (66)	184
1963	748	628 (130)	120
1964	242	88 (60)	154
Totals .....	10,557	7,116 (772)	3,441

\*The figures in brackets indicate the number of successful candidates who attained a standard exempting them from further testing.

In 1959 a series of tests for the various Bantu languages was introduced. Officers in the Department of Bantu Administration and Development and of the Department of Bantu Education were allowed to sit for these tests on the understanding that those who passed would be paid bonuses. The results achieved by the officers who sat for the tests in the lower grade are given in Table III. Of the 640 officers tested, 62 per cent failed. In the higher grade tests for Bantu languages no less than 92 per cent failed.

TABLE III

Bantu language tests (Lower Grade) 1959 - 1964.

Language	Number tested	Number passed	Number failed
South Sotho	30	18	12
North Sotho	99	30	69
Zulu	212	79	133
Xhosa	263	102	161
Tswana	33	9	24
Tsonga	3	2	1
Totals .....	640	240	400



TABLE IV

Bantu language tests (Higher Grade) 1962 - 1964.

Language	Number tested	Number passed	Number failed
South Sotho	8	-	8
North Sotho	19	4	15
Zulu	49	7	42
Xhosa	73	1	72
Tswana	-	-	-
Tsonga	-	-	-
Totals .....	149	12	137

(iii) Evaluation of the language tests

For the purpose of this report the English language tests were handed to Mr. E. Pereira, M.A.(S.A.), Senior Lecturer in English at the University of South Africa. The report of Mr. Pereira and two of his colleagues are given below.

The Afrikaans tests were handed to Dr. J.P. Bingle, M.A.(S.A.), D.Litt. (Pretoria), Senior Lecturer in Afrikaans at the University of Pretoria. Dr. Bingle's report was submitted in Afrikaans and the translated version is subjoined.

(a) The English tests

General observations by Mr. Pereira and his associates:

- "1. The Committee Report is a balanced and sensible piece of work; the resultant test papers seem, by comparison, extremely limited and unimaginative.
2. The factors to be borne in mind, in criticizing the tests and recommending changes, are:
  - (i) bilingualism, i.e. proficiency in a second language;



(ii) the local nature and purpose of the tests:

to test the proficiency of civil servants (whose work is mainly administrative, but who must be able to communicate intelligibly, in the second language, with members of the public);

(iii) the practical difficulties: these tests must be so constructed that they can easily, quickly and accurately be marked and assessed by a (comparative) layman. On the other hand, there seems no reason why these tests cannot be given out to a committee of professional examiners.

3. We have not been given samples of the 'oral tests' (beyond the suggestions given in the Committee Report and the 'Instructions to Examiners'). It goes without saying that oral tests are perhaps more important than the written tests.
4. Many of the standardised examples used to preface each test are downright bad. They can only confuse the good candidate.
5. These tests do not examine the candidate's ability for sustained conversation/discussion/composition in the second language. Unless the oral tests make provision for this, it is suggested that candidates be required to write a brief essay on some subject connected with their work. Such essays can be marked by specially appointed outside examiners.
6. Much of the foregoing criticism is repeated in our comments on the individual tests. Generally, we find that, whereas the candidate is adequately tested on his ability to use language at an elementary grammatical level (on the rule of concord, for example), he is not tested on his ability to use language at more sophisticated levels. The Public Service Commission should be clearly aware of what it is testing for:





the ability to recognise that 'tortoise' (and not 'tortis' or 'tortise') is correctly spelt, or the ability to read English intelligently, to speak it fluently, and to write it intelligibly."

Report by Mr. Pereira on the Public Service Commission 'English Usage Test'

"The Test in its present form is designed to assess the candidate's proficiency in and mastery of

- (i) Punctuation
- (ii) Spelling
- (iii) Vocabulary (synonyms and related word-groups)
- (iv) Idiom
- (v) Vocabulary (form and function)
- (vi) Pronouns
- (vii) Prepositions
- (viii) Verbs (concord)
- (ix) Verbs (tense and mood)
- (x) Word-order and sentence-structure
- (xi) Usage (correction of errors)

Comment:

- (i) Although some of the questions - notably those on verbs, pronouns and prepositions - provide a satisfactory test of the candidate's proficiency in certain areas, the test as a whole is unsatisfactory, because it tests elements of language skill in isolation. Many candidates who are quite capable of distinguishing between a correct and an incorrect usage or spelling when they are specifically asked to do so, are quite incapable of using the same forms correctly in their own conversation or letters. The oral test may be intended to synthesize some of these elements, but from the sketchy indications given in the Report and 'Instructions to Examiners', the oral examination in its present form must be considered too arbitrary (and too vulnerable) to provide a valid test. The present 'usage test' should, therefore, be supplemented by an essay-type question - one which requires from the candidate a brief essay on or discussion of, say, some aspect of his work and aims, or some general comment, possibly connected with the functioning of his Department. Such



essays should be submitted to a suitably qualified outside examiner for comment.

- (ii) Candidates should be given a reasonable choice of questions within the sections testing vocabulary and idiom. The questions have, obviously, been designed to test only what the average candidate can reasonably be expected to know; nevertheless, some of the questions are too arbitrary, or of too local a nature. (Not everyone knows that a well-known person is a 'celebrity' (Form E, Section 5, No. 2), or that a Queen's Councilor is said to 'take silk' (Form D, Section 4, No. 8)). One can, of course, expect candidates to be reasonably well acquainted with words and idioms that have a direct - or indirect - bearing on their work as administrative officers, but I feel that a choice of questions in Sections 3, 4 and 5 would eliminate any suggestion of arbitrariness.
- (iii) Sections 1 (Punctuation) and 2 (Spelling) seem to me quite valueless, and based on bad educational practice. Here, it seems, the overriding consideration has been 'ease in marking': the resultant tests are a parody of modern English usage. Moreover, the section on punctuation makes no provision for acceptable variations; my experience as an examiner has shown that it is the intelligent candidate (i.e. the candidate who is sensitive to other, perfectly legitimate readings and interpretations) who is faulted on questions of this nature. I suggest that Section 1 be replaced by a question asking candidates to rewrite a number of sentences (or a brief passage), putting in the correct punctuation. The persons marking the paper could be provided with a 'model' answer which also indicates acceptable variations. Section 2 (Spelling) should be incorporated in Section 11: to confront candidates with one correct and some four incorrect spellings is merely to confuse the 'better-than-average' and invite guess-work from the



'less-than-average'. Section 11 could be amended to read (this is merely a suggestion):

The following sentences contain (or passage contains) misspellings, as well as words and phrases which are incorrectly used, or unnecessary. Rewrite each of the sentences (or the passage), correcting the errors but not changing its intended meaning.

Here too a key, incorporating acceptable variations, will have to be provided for the use of the examiner.

- (iv) It goes without saying that questions involving errors of style or idiom (see Sections 10 and 11) have to be framed with great care: there must be no doubt about the nature of the error involved, and it must be the kind of error that can easily be corrected. (Is there, for instance, only one 'correct' way of interpreting and rendering the following: 'The Minister declared that it is imperative that the best use is made of available material'? - Form B, Section 11, No. 9). Those compiling the question papers should bear in mind that adverbs (and prepositions) are hard to pin down, and that in deciding even seemingly elementary questions (such as 'The Committee have/has ...') much depends on the context. Punctuation not only alters meaning, it can turn a seemingly ungrammatical sentence into perfectly acceptable English - a point the compilers of Sections 10 and 11 have chosen to ignore. (For instance, the 'examples' prefacing these sections might invite, from the intelligent candidate, the following acceptable alternatives: 'He is, perhaps, too busy', 'Is he perhaps too busy?', 'Shall I take my dog with me tomorrow?', etc.)

- (v) From the above comments it would seem that the weaknesses of the written tests stem, in the main, from their attempt to objectivize language and





to elicit a standardized response (and, one must add, a response that can easily be evaluated by an unqualified 'examiner'). Civil servants, I should imagine, are by the very nature of their work well drilled in the standard response: proficiency in this respect is not a test of language ability - not even in a second language. Some skills (as I have indicated) can be adequately tested through the completion of a standardized 'questionnaire', others can be tested only by subjecting the candidate to what more nearly approaches a 'written examination'. Language is a flexible, highly complex medium of communication; and the candidate can indicate the extent to which he has mastered its intricacies only if he is given the opportunity of expressing his ideas in sentences, and in sustained passages, of his own making."

(Sgd.) E. Pereira

Department of English,  
University of South Africa.

9th December, 1965.

#### "Reading Tests

1. The time limit for these tests is 30 minutes. Whether this makes the reading test a speed test as well (which it should, since comprehension and reading speed have a high correlation) is not clear, but it seems probable that most candidates will have to work fast to finish the test in the allotted time.
2. There appears to be no vital difference of standard between the 'A' and the 'D' test. Each test is graded from simple to 'difficult'. Each test has 14 or 15 'passages'.
3. The grades of difficulty in each test can be understood as a necessary means of ascertaining the candidate's standard.



4. The number of passages (leaving aside the quality of both passage and question for the moment) is difficult to justify. It seems, in fact, that the candidate has more words to read in the questions than in the passages. This can hardly be satisfactory, because the total impression is of a bag of tricks rather than a test of reading ability. A candidate's mental agility may be tested, but his powers of sustained concentration not at all. The grasshopper will beat the ant - and that, I think, is distinctly unfair. The ability to sustain thought is surely most important.

My opinion is that fewer passages for comprehension be given - say four: one from a novel, one a factual report from a superior magazine article, one from the literature of bureaucracy (necessary, no matter how appalling the literary style, since it is with this that the candidates work), and one from philosophy. The foregoing suggestions are not entirely arbitrary but point to how a candidate can be taken from concrete narrative to pure abstractions.

People more expert than I should decide on the length of each passage. My suggestion, based on a little experience of remedial teaching in reading, is that about 250 words read per minute is a reasonable maximum.

5. Many of the passages set in these tests are bad - bad stylistically, bad material for testing. See, for example, the last passage of the 'C' test. Obfuscatory prose should be avoided, which is not to say that officialese - a necessity of government - should be. There should be scope for the expression of value judgments.
6. That the method here used of setting questions can cause confusion is evident from the tests themselves. The draft of our enquiry, which began with a look at details, is studded with comments like 'ambiguous',



'vague', 'indefinite', and of course 'misleading'. The method may well be an aid to examiners, in that marking can be done quickly; one may question whether the method is fair to candidates, however. In addition to being a curb on more imaginative candidates, this 'right' - 'wrong' system in a language paper is a curb on the language itself. Language cannot be objectified. (These comments apply to all three tests. For additional material on the subject may I refer you to the Appendix of Barzun's House of Intellect.)

Other methods of testing are no more difficult to apply and much more reliable. The English and Welsh 11 + tests could be helpful in suggesting variations.

But whatever the method, a test of reading and comprehension must be a test of a candidate's response to the nuances of words in their contexts."

(Sgd.) L.H. Hugo, M.A.(S.A.).

Senior Lecturer,  
Department of English,  
University of South Africa.

11th December, 1965.

#### "Vocabulary tests

From the report submitted by the Committee of Enquiry two aspects emerge prominently:

- (a) Lack of standardization of tests rendered the previous system hopelessly inadequate.
- (b) The purpose of language tests should be to assess proficiency of candidates in the practical use of a second language.





Point (b) is of the utmost importance. While the Committee stresses this aspect, as is indicated by their insistence on accepting the result of the language tests as a deciding factor for promotion, the present tests seem to be designed for standardization of marking only. It seems ludicrous to sacrifice the real purpose of a test to a technical detail such as a fool-proof marking system. If the present system cannot be changed completely (and this is a factor which will have to be considered) I suggest the following adaptations:

1. There are many instances where the nuances of isolated words can be varied and complex when used in different contexts: a word such as Accordingly means Consequently only in a specific context. If the candidate knows the word but has never used it in this specific context he will give the wrong answer. (Other examples are Aptitude / Suitableness, Adjudicate / Award, Reconciliation / Reunion, Observance / Brightness etc.)
2. Where proficiency in a second language is concerned one should concentrate on words that are commonly used. (This point is raised by the Committee in their report). But in the tests words such as Opprobrious, Exacerbate, Mendacious, Persiflage, and Internecline occur. These words would tax the knowledge of a language expert.
3. By deliberately confusing a candidate one tests what he does not know, not what he does know. In a list of words (such as those given to candidate to choose from) words that could be acceptable equivalents should not be added. In the present system of marking it seems clear that only the word decided upon by the examiners will be awarded the full mark. This is a highly unsatisfactory method. A word such as Confine could mean Limit or Remain in bed; similarly Wastage could be Improvvidence or Loss (of a certain kind), and Vested could mean Clothed (literally) or Furnished (in the sense of Endowed).



4. Some of the synonyms given in the list are not really adequate synonyms and require a specific context - the candidate who knows this will be confused and will probably give the wrong answer. Dissolution means the 'ability or act of dissolving', not Insolubility; Impersonate does not really mean to 'act a character'; the same applies to the combinations of Forfeit / Penalty, Proximity / Vicinity, Subsidiary / Following etc.

It is, in my opinion, quite wrong to test a candidate's range of knowledge by giving him isolated words. This kind of test encourages a hasty scramble through a dictionary in search of 'odd' words and results in irregular, arbitrary knowledge. Complex nuances of words - more particularly of the 'difficult' words inevitably selected for such tests - render a reasonable answer almost impossible. If a candidate is aware of these nuances the test will frustrate him; if a candidate does not know the word some of the inadequate synonyms supplied will be misleading. A vocabulary test should consist of words used in meaningful sentences and the candidate should be asked to write down either a synonym or explain the meaning in a short phrase (it is often difficult to think of an exact synonym). Where a word must be selected from a list, the whole list should be incorporated in a sentence: from the context the candidate must decide which would be the best word. If a word has complex nuances two or more sentences can be given and the candidate asked to explain the difference. (This tests degree and depth of understanding, and is a far more valuable gauge of ability). If 'difficult' words are used they should be incorporated in a sentence: any civil servant who encounters a difficult word in a sentence in the course of his work will either assume the meaning from the context or consult a dictionary but he will remember the meaning because of the context, not because of the explanation provided by the dictionary.

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That adaptations or changes of these tests will require a more intricate marking system is evident, but one can reasonably assume that the examiners of these tests will have a thorough knowledge of the subject and that, although the marks awarded will probably not be a mathematically exact reflection of average ability, the tests will allow for imaginative scope and eliminate purely theoretical knowledge. Where language is concerned imaginative understanding will reflect true ability, and common sense will indicate whether or not the candidate can communicate intelligently in a second language. Arbitrary, fragmentary knowledge is of little value in any subject and in the case of language it is positively undesirable."

(Sgd.) B.J. de Wet (Mrs.), Hons.B.A.(Stellenbosch).

Lecturer,  
Department of English,  
University of South Africa.

9th December, 1965.

(b) The Afrikaans tests

Report by Dr. J.P. Bingle, Senior Lecturer in Afrikaans at the University of Pretoria

Dr. Bingle submitted a lengthy report in Afrikaans. (No Afrikaans language expert was willing to submit a report in English.) This report has been translated as accurately as possible within the time available and is attached as Appendix A.

Before giving an evaluation of the language tests as such, Dr. Bingle sets out the "Philological bases for Evaluation of Language Proficiency". The gist of this part of Dr. Bingle's report is that language testing should be undertaken to test the candidate's active as well as passive language knowledge.





Dr. Bingle finds that the three language tests, viz. Vocabulary Test, Reading Comprehension Test, and Afrikaans Language Usage Test have certain virtues, but also a number of weaknesses. His concluding remarks are summarised as follows:

1. The manner in which the tests are compiled and must be answered, creates the impression that considerations of the marking of the tests play an important role. The answers can be marked in a mechanistic manner, because no judgement is expected of the scrutineer.
2. The tests are aimed exclusively at passive language usage, because nowhere is it expected of the candidate to formulate actively. There is, therefore, no question of the candidate having to display language inventiveness.
3. The Language in its rich variety and extent is not covered in full.
4. The tests are not language tests, but more in the nature of mental tests.
5. I get the impression that the tests have been compiled with the view not to promoting bilingualism, but with bilingualists in view.
6. It will further appear that the compilers of the tests were more concerned about the correct word than about the correct sentence schemes.

Dr. Bingle also makes certain recommendations which are not really relevant for the purposes of this report.



#### 4. THE NEW ARRANGEMENTS FROM 1ST JANUARY, 1966

Because the language tests described above were not giving complete satisfaction the Public Service Commission decided upon the following arrangements detailed in P.S.C. Circular No. 49 of 1965, dated 20th December, 1965:

##### The promotion and testing of language proficiency in the Public Service

- "1. Proficiency in both official languages remains a primary requirement for the efficient performance of the duties attached to every post in the Public Service. The present system of language testing was introduced in order to enable the Commission to meet its obligation of ensuring that, as far as possible, officers who are recommended by it for posts, possess the required knowledge of the official languages.
2. In the full knowledge of, and with due regard to, the advantages as well as the disadvantages of the present system, the Commission has reviewed the matter and decided on a new approach in the determination of language proficiency, in which the language requirements imposed by the work done by officers, will be of decisive importance. In other words, the intention is to take, more specifically, the proficiency of officers in functional language usage, as basis for the assessment of their linguistic ability, rather than the level of their academic knowledge.
3. By functional linguistic proficiency is meant the written and oral usage of a language with a view to quantity and quality in correspondence, the drafting of submissions, memoranda and reports, interviewing and communication in general where, in the work situation, the officer concerned has to do with either his colleagues or with members of the public who must be served in the language of their choice.
4. The Commission wishes to make it very clear that this new approach by no means implies any relaxation of the policy in regard to the necessity of bilingualism and the maintenance of the principle of equal treatment of the official languages. The practical linguistic proficiency required of officers differs considerably, however, in the various posts in the Public Service according to the nature of the work, the level at which it has to be done and the environment in which officers work, and it is the Commission's aim to accord greater recognition to this fact than has hitherto been the case in connection with the placement and promotion of officers.
5. In order to realise its aim, the Commission must obviously have an indication of each officer's ability in the written and oral usage of the two languages as outlined in paragraph 3 above. This entails a change in the method of determining the language proficiency of officers, and in the nature of things departments/administrations will have to accept the responsibility of making an assessment of the functional linguistic ability of officers on the strength of their experience and observation of officers in the work situation. Departments/administrations may, at their discretion, make use of any source of information for this purpose. The Commission would prefer





that, where possible, the opinion of Regional and/or Central Merit Committees whether departmental or panel-form should be obtained before such an assessment is made.

6. In evaluating an officer's degree of proficiency in any of the two languages, departments/administrations should guard against taking into consideration such factors as the homelanguage, the language of the environment, the opportunity or lack of opportunity to use the language and the extent of the need of a knowledge of the language. Apart from the degree of proficiency in the two languages, the factors indicated above are considerations which apply in the filling of posts and they should not be allowed to influence the language rating as such. The rating of an officer's proficiency in each of the two languages should therefore be specific and unconditional, i.e. it should be purely an indication of his degree of proficiency in Afrikaans or English, measured against what is normally encountered at the officer's level in the type of work he performs in the case of a worker whose home language is the language concerned. The level of proficiency thus encountered must be regarded as the standard for a rating of "good" in that language.

7. The Commission therefore desires that an indication of an officer's functional proficiency in the two official languages should in future also be given in every instance where a report on an officer's merit is submitted. The degree of proficiency must be indicated as "good", "fair" or "weak" under the headings written and oral. This new approach does not connote that officers who have hitherto been unable to comply with the language requirements, will ipso facto qualify for promotion. Where, in future, such officers are nominated for promotion, their functional linguistic proficiency must, to the satisfaction of the Commission, be certified as adequate for the requirements of the post.

8. Needless to say, border-line cases will occur where a difference of opinion happens to exist in regard to the degree of an officer's linguistic proficiency. In such cases the Commission and/or the head of department should be able to direct that an officer must take the official language test as a means of assessing his linguistic ability, or to require that other proof of an officer's knowledge of the languages be submitted.

9. The position remains unchanged in those cases where persons are expected to write the official language test in order to comply with the prescribed educational qualifications, whether before or after appointment in the Public Service.

10. The existing language test committees should not be dissolved on the strength of paragraphs 8 and 9 above. All test material still in possession of the various chairmen must, however, be returned to this office by registered post before 31st December, 1965.

11. The Commission furthermore desires that more attention should in future be given to the training of officers in the functional language usage. Formal language courses, classroom instruction and related formal methods of training cannot, no matter how essential and important they may be, take the place of training in the work situation. The purposeful guidance of officers in the correct use of the official languages is just as important as guidance in respect of the more mechanical and technical aspects of the





drafting of letters, memoranda, submissions, etc., and is an obligation which rests upon every supervisor regardless of his rank or the branch of the service in which he finds himself."

In regard to paragraph 11 of the foregoing circular the Public Service Commission is considering the inauguration of formal training courses in the official languages, but nothing definite has yet been decided in this connection.

## 5. GENERAL CONCLUSION

There can be no doubt that the language practices of the various public institutions in the Republic of South Africa are genuine attempts to ensure full bilingualism. All forms, notices, reports and other official publications are published in both official languages or alternately in English and Afrikaans. Complaints about the language practices in the public sector are nowadays rare and are usually lodged by individuals who, with all due respect, must be regarded as crusaders for either one or the other of the languages.

Full bilingualism of all public officials has never been attained in South Africa. For many years after 1910 the scene in the public sector was dominated by English-speaking officials who, at best, usually possessed nothing more than "a working knowledge" of the second language and many of whom could be regarded as unashamedly unilingual. During this period the English language also received much more attention in the schools and the universities. The net result was, paradoxically enough, that the conditions greatly favoured the Afrikaans-speaking official in so far as the attainment of full bilingualism was concerned.

During recent decades, however, the Afrikaans language has come into its own as a result of the establishment of numerous Afrikaans-medium schools and



several such universities. In the public sector the overwhelming majority of officials is today Afrikaans-speaking and Afrikaans is thus understandably the predominant language in that sector. The real danger today is, therefore, that the wheel will soon have taken a full turn and that it is the Afrikaans-speaking officials who will have only "a working knowledge" of English. In other words South Africa will, as far as bilingualism in the public sector is concerned, be back where it was from 1910 to 1948 with the sole difference that the boot is on the other foot i.e. that it is now the Afrikaans-speaking official who is, to all intents and purposes, unilingual or who has "a working knowledge" only of his second language. The ultimate question which may, therefore, legitimately be asked is whether full bilingualism is not simply beyond the reach of the average government official. If this is indeed so - and the disappointing results of some seventeen years of constant effort, supported to the hilt at Cabinet level, culminating in what is, in effect a veiled admission of defeat in the latest Public Service Commission Circular on the subject, seem to spell it out in unmistakable terms - it would appear prudent to settle, once and for all, for the admittedly less ambitious but certainly more realistic goal of proficiency in one language only and the much-maligned "working knowledge" in the other. Facing up to facts in this fashion is unlikely radically to affect the quality of service to the public (officially "bilingual" or not, the same fallible personnel will be at the working face) and the officials themselves will be freed, at last, of the necessity of trying to attain what, for the vast majority, has been shewn empirically to be the unattainable.



REPORT BY DR. J.P. BINGLE ON THE AFRIKAANS PUBLIC  
SERVICE LANGUAGE TESTS

Philological bases for evaluation of language proficiency

When one has to consider language matters, various distinctions have to be made; distinctions with the validity of axioms of which no one can doubt the truth in philology. On the basis of these fundamental axioms all the views must be judged and all procedures must be determined. The axioms remain at all times the guiding principles. It is the case that philology as a science must reveal the linguistic foundations whereby the principles of the method of practical education can be determined. The same applies for the sound language policy to judge practical language usage in the light and against a background of these philological fundamentals: in terms of them, judgement must be given on the efficiency, or otherwise, of the language usage.

What are these distinctions?

1. Distinctions must be drawn between language and language usage, between language system and speech, between language and speech or, as DeSaussure put it, between "langue" and "parole". Under system we have in mind a set of rules which the user of the language respects when he uses the language concerned. This rule-system is the common possession of the whole language community, while the language usage is the individual application of the rule-system. The rule-system exists for the benefit of the language phenomenon, viz. a number of categories appearing in the language usage, viz. sentences, groups of words, words and speech sounds. Each category shows a definite structure: it is a sentence, a group of group of words, a word, a speech sound, and these structures are of a universal nature - they appear in all languages. But then every language has its own distinctive character; to the structure "something" clings, viz. that idiom which bestows on each language its own identity (in English it is known as "the genius of the language"), which prompts us to say eventually: this is Afrikaans and this is not Afrikaans: that which, for example, makes us say in Afrikaans "seven and twenty" ("sewe-en-twintig") and in English "twenty-seven"; in Afrikaans makes us say "onderstebo" ("lowest above"), in English makes us say "upside down"; in Afrikaans makes us say "Gister het ek 'n man ontmoet" ("Yesterday had I a man met"), in English makes us say "Yesterday I met a man". (Order of words after stipulation), in Afrikaans and English makes us say "drie boeke" (three books) and "three books" but in Hungarian makes us say "három könyv" (viz. three book) although the plural of könyv (book) is "könyvek" (books).
2. A second distinction is that between language of the people and the cultural language, a distinction which must be made notwithstanding the fact that all language expressions are forms of the language and as such deserve the attention of the language researcher and are consequently the subject of language study. And because this is the case, every language expression must be judged on merit which means here that the language expression must be seen in the light of the purpose which the language user had in mind: be it language usage at the level of the everyday conversation or be it language usage on a cultural level, viz. be it language usage in a particular context such as in an official setting (for example in the Public Service). This does not, however, constitute a plea for "unnatural" language usage. But - and this cannot be denied, is a distinction which







must be made - there is after all "language usage" and "language use": one speaks in a different manner to the Prime Minister and to the vegetable hawker.

An aspect of this distinction is that which implies that each "subject" (vocation, trade, profession, direction, group or area) should be judged in its own right and therefore possesses its own terminology which must be respected meaning that it must be used and understood otherwise the "subject" under treatment will not receive its due. In terms of this fact there must be a measure of hackneyed phrases, even a measure of cliché, which is not only legitimate but also necessary, as for example in letters and reports and memoranda of an official nature. The result is that there is to some extent an absence of freedom in any language usage, but this does not at all mean that there is not a measure of freedom within the boundaries laid down - it is a purely voluntary restriction. This fact is also responsible for the phenomenon that the language of no two persons is the same. How different it would have been if such a thing as style did not exist? Indeed: "stylist is he who does not bind himself under the restrictions of the language as a means to hide his own inability, but who accepts them as unavoidable evils where the language pattern allows him no other choice. He does not allow himself to be tied by the pattern, but has an individual language which he adapts to the time, the subject and the situation and which he controls in a tasteful and masterly manner".<sup>1)</sup>

3. A third important distinction is that between word and sentence. The word is the unit of a language, the sentence is the unit of language usage. Although the word is the primary form of the language, it does not mean that the sentence, which is the secondary form, is not of the same importance. Only when the word appears in the sentence - and this does not mean that the word does not exist outside the sentence - can there be talk of language usage, even where the sentence consists of only one word. (For example, as a reply to a question: "Yes", or "Five", or with surprise: "Five?"). Apart from the fact that the user of the language must thus have a command of words - because with that he controls a language situation in the first instance - he must also have a command of the syntactical scheme, viz. he must be able to determine the invisible relations between words which follow visibly one after the other. Language usage is language mastery and the "whole question of language mastery reveals itself there where the sentence consists of a number of words and where thus a third element enters into the language expression". But still the peculiar phenomenon is encountered that the language user strenuously strives to find the right word while he largely ignores the syntactical structure. This is also in a greater measure the case in oral language usage than in written language usage. Uijlings comes to the conclusion after an investigation of a number of oral language expressions: "Out of the foregoing it is abundantly clear, that people in speaking have only one objective in sight: the choice of the right word. The norms obtained from the written language for the sentence structures are neglected, or at best achieved in a simplified form. Corrections are effected only where an incorrect choice of words has been made."

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1) A translation of an extract from Boshoff, S.P.E.: Ons en Ons Taal (South African Broadcasting Corporation, 1958), p. 6.



This fact pleads in a negative (destructive) manner for the view that language is in the first instance a control instrument and only thereafter a communication instrument - to control first the environment in and with the language and thereafter to do the same with one's fellow man.

4. From the foregoing flow the fourth and the fifth distinctions, viz. that which relates to the twofold success of the sentence and that which relates to the way in which we use our language.

The sentence acquires its nature from the fact that it is constructed in two layers: the layer of the words and the layer of the musicality or intonation. The actuation of the double success of the sentence is the warp and woof of every language expression, be it a successful language expression or be it a defective language expression: is it a success, then it is because there is absolute harmony between word and intonation; on the contrary if it is defective, then it is because there is a discrepancy between word and intonation. On the intonation depends, for example, whether the order of the words (the visible part) implies a question, an exclamation, a communication, a wish, because in it - in the form of the sound of the sentence - the personal aspect of the language usage finds its expression. From the intonation it depends whether the following expression is a fact in respect of the boy or in respect of the teacher: "The teacher says the boy is stupid", because it can be interpreted in two ways depending upon the manner in which it is harmonised: if the boy is stupid, it will be: The teacher says: "The boy is stupid"; if the teacher is stupid, then it will be: "The teacher", says the boy, "is stupid". It needs no further explanation to convince one that the layer of the intonation is of such a decisive nature that it dominates even the layer of the words where these two come into conflict with each other. A person can, for example, be most indignant when he says: "I am cheeky?" This expression has the word order of a communication, but with the intonation the communication character is suspended and the expression is intended and interpreted as question which should have read: "Am I cheeky?" No further argument is necessary to show that knowledge of the meanings of words is no guarantee of language control or mastery.

5. This last comment relates to the manner in which language is actually and eventually used. In this regard the fifth distinction must be made, namely that which refers to active and passive language usage. A fact about which there is no argument, is that any language user's passive vocabulary is greater than his active vocabulary: one understands more words than you actually use, viz. active, use; it is one thing to understand a word when someone else uses it, but it is another matter when you have to use that word independently and actively, because the context in which the word appears perhaps still assists the one who understands the language, but such assistance is wholly absent when the language user must use the word independently. Therefore, in respect of the language usage specific distinction is made between speak and listen, between active and passive language usage, or, as Reichling puts it, between action thought (viz. speak and write) and observational thought (viz. hear and read); together these four give us language usage.

When the language proficiency of a person must be judged and the measure in which he commands the language must be ascertained, then it should be remembered that there are actually three kinds of active language usage. Stutterheim puts it as follows: (a) sentences (particular words





in a particular sequence) are repeated; (b) sentences are formed by analogy with other already known sentences; (c) sentences are formed which, at least for the speaker or writer, have no precedent. For (b) greater language control is necessary than for (a), and for (c) again greater than for (b). Someone's independent language control ability will, therefore, obviously come to light most clearly when he makes (c) - sentences. The success which he will attain (or not attain) is then not only an indication of his own ability (or inability), it also provides a comparative basis between the ability of language usage and language user. If simple sentences are repeated, then it is no form of language usage on the ground of which someone's language proficiency can be determined - this is self-evident. Similarly self-evident is that sentences which are placed before someone and on the basis of which questions are put to him, is also no active language usage - it is merely passive language usage. And when sentences are formed by analogy with others, then it shows that the language user is in control of the language to some extent and it is then also the form of language usage which can rightly be expected of the overwhelming majority of language users. Such language usage implies the relatively faultless use of the language system. But if someone in addition - apart from the control of the language system - displays the ability independently to create language, then such a person controls the language in full and then he can be regarded as a language virtuoso. Stutterheim in this respect refers to "language inventiveness" which appears not only with active language usage, but also with passive language usage when it means that a person possesses the ability to follow someone else in his (active) "inventivity". Again it needs little argument to realise that most language users are capable of passive rather than of active language usage, that they can understand more than that they can create. Therefore a test of language proficiency which tests passive rather than active language usage, is a one-sided test and a test which can be misleading on the language proficiency of a specific language user. To understand the meaning of a word outside the context in which it is used, is no guarantee that the one who understands will be able to use the word where he must himself provide the context; and to make a deduction on the basis of a given syntactical context and the sentence musicality, is also no guarantee that he who understands will be able to effect a syntactical context and create a harmony which will make like deductions possible.

6. A last distinction is that which relates to the difference between the meaning of two words and that which relates to the distinctions which exist within the same meaning unit; because a word has not more than one meaning, it has but one meaning and within the one meaning various meaning-distinctions can be made. In this manner someone may, for example, easily distinguish between a given number of words if he has to indicate one of those words as "synonym" of a specific word; but the same person will perhaps find it relatively difficult to find the synonym himself and he may perhaps never find the specific word when he must use the language independently, because the word does not fall within his active vocabulary.

Closely related to the meaning distinctions within the meaning unit are the situational facts. It is a fact that one and the same word can be used to refer to a multitude of subjects. Now to restrict in a measure the mobile symbolisation - as it is called - of a word, the word must be placed in





juxtaposition with other words according to a definite principle, viz. combinatory syntactic principle, in other words, such a word is used in a specific situation. Uhlenbeck writes in this connection: "the principle of combinatory syntactical symbolisation indeed works towards precision, but does not always work completely precise. It does not always provide the listener with sufficient data to enable him to interpret correctly. For the exact interpretation it is vitally necessary to add the situational data". And further: "the language system is founded on usage handled in a very wide manner: it embraces not only the directly observable data which the listener has available in addition to the language expression, but also an eventual context; viz. preceding language expressions, and also the knowledge which the listener has of the speaker". And Uhlenbeck states this on the basis of the nearly classic enunciation of Reichling when he condemns the tendency to approach language one-sidedly as form while the semantic aspect is ignored. Uhlenbeck's enunciation is that "every language expression (appears) always and ever in one situation or in one text" and that "the whole language system on this is additional through textual or situational data".

Out of this flows the important fact that there are different sorts of meanings which must be distinguished when the language usage is under consideration. There is namely the meanings which are applied to words like those appearing in the dictionary, the lexicon meanings. Then there is the meaning contained in a group of words or sentence, which are determined by the manner in which such words are aimed at each other (for example "completely not" against "not completely") and in which the intonation plays an important role; in these cases we speak of a word-group-content and of a sentence content. Finally there is the interpretation-meaning, viz. the placing of the sentence content in relation to the text, the "frame of reference" or situation. How would one, for example, understand the word group "little child" if it was not for the situation and the context? For example, of a little girl wearing a large dress, the comment is made: "there is so little child that one sees only the dress". How would one be able to explain "more man" otherwise than with the help of the context-situation of the sentence?

### Discussion of the various tests

#### I. Vocabulary test

The candidate must make a choice out of a group of five words to indicate the meaning of a given word. The possible meanings are dissimilar in nature: they are words with totally different meanings. There is no talk of meaning distinction in respect of a unit meaning; this is also not possible, because the words do not appear in a context situation. On the one hand, the words are not so easily distinguishable that there can be little doubt, whilst, on the other hand, there is a number of meanings which are of such a nature that the candidate will be tempted to guess, because there is nothing which enables him, in terms of the usage, to make a choice. In other words, there is no indication that someone can bring to light his language proficiency - neither passive nor active.



With every test the words really fall into two groups: those from 1 - 39 can be described as "common" words, while those from 40 - 50 are "uncommon" in the sense that they do not belong to the language of the people or everyday language. For these two sorts of words something is to be said, because the distinction does exist. If someone then is successful with the group 40 - 50, it may to some extent be an indication of his passive language proficiency, while in respect of his active language ability there will as yet be no guarantee. At best it would confirm the generally known fact, viz. that the candidate commands a greater passive than an active vocabulary. But even then it would be better to provide different sentences from which the relevant word has repeatedly been deleted with the instruction that the word should be placed in the sentence in which it fits. This would not only be fairer towards the candidate, but would also enable him to judge the language usage in an intelligent manner, and this is, after all, the problem: "language usage".

Dr. Bingle then demonstrates that the "meaning distinctions within the meaning unit of a word" are nowhere covered in the test. He quotes examples which would lose all significance if translated into English. His conclusion is that it will be better to arrange the tests in such a manner that they will in fact test the candidate's "active" instead of his "passive" vocabulary.

## II. Reading test

The pieces to be read also fall into two groups: those which are of a descriptive nature and relatively easy, and those which are of a logical - technical nature and relatively difficult. The pieces vary. This variation not only provides the candidates of varying aptitudes the opportunity to show themselves off to best advantage, but also provides the good candidate with an opportunity to excel.

The reading test aims at testing the (passive) ability of the language user to understand and these pieces do in fact do that. The fact that the reader must time and again make a choice, makes the task much easier and in addition his task is made still easier because some of the propositions are so markedly simple that they can reasonably be eliminated and consequently have no value as choice possibilities. It is correct that the propositions are made in such a manner that the candidate must deduce the reply from that which is by implication contained in the piece to be read. But it is equally true that the propositions are often ambiguous with the result that sometimes more than one proposition can be regarded as correct just because they are directed towards the implied meaning. (Examples are then provided with observations thereon). The propositions do indeed test the candidate's reading ability, especially his ability to draw distinctions; this is in itself excellent, because it makes mental as well as language demands: of the mother tongue speaker it makes only mental demands, because with the understanding of the language usage as such he will not experience undue difficulty; and of the non-mother tongue speaker it makes, apart from mental demand, also language demands which can be beyond him. To none of the candidates, however, does it provide the opportunity to display language ability in the active sense.





To remedy this, questions can be put in two directions:

1. An extensive piece of which a point to point extract must be, viz. full sentences need not be used, but the extracts could take the form of newspaper captions. In that manner the comprehension as well as the formulation ability of the candidate will be tested; it is, in fact, the way in which we often work in practice and have to act, and it prevents the candidate to a large extent from having to use the precise word provided in the piece; in addition it makes a heavy demand on his ability to formulate independently.
2. Questions could be put which would test the actual language insight of the candidate, viz. questions which relate to words, word groups and sentence schemes. (Afrikaans examples which would lose their significance if translated into English are quoted).

Needless to say that in the reading test it is also necessary to put questions which will require answers in which the candidate must formulate independently, but in such a manner that he will not be able to use words provided in the piece. And of particular importance: the value of the answer must be determined on the ground of both the correctness of the content and the correctness of the language usage. The talented language user must also be allowed opportunity to display his ability as a stylist. Therefore a piece should also be included which is aimed at the candidate's sense of style, viz. for the testing of affective and effective language usage.

### III. Afrikaans language usage test

The questions in this test are good as far as they go. But they do not go far enough: they do not reflect the rich variety of the language phenomena and language elements. In addition every section can be extended to a separate test whereby the riches of the language system can be brought to the fore.

(Dr. Bingle then proceeds to give Afrikaans examples of shortcomings in the treatment of punctuation, spelling, word differentiation, hackneyed phrases, brevity, prepositions, tenses, word-building, syntax, and incorrect or superfluous words and expressions. These Afrikaans examples would lose their significance in the process of translation into English which has, therefore, not been attempted).

The conclusions arrived at by Dr. Bingle are furnished in the body of the report.





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